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REPORTS

OF

THE COMMISSIONERS

APPOINTED TO INQUIRE INTO A SERIES OF

ACCIDENTS AND DETENTIONS

ON THE

GREAT WESTERN RAILWAY,

. CANADA WEST,

BY COMMISSION BEARING DATE NOV. 3, 1854.

46486

Laid before the Legislative Assembly by order of His Excellency the Governor General.



457
1855

QUEBEC:

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1855.

PROVINCE OF CANADA.

By His Excellency The Right Honorable JAMES, EARL OF ELGIN AND KINCARDINE, Knight of the Most Ancient and Most Noble Order of the Thistle, Governor General of British North America and Captain General and Governor in Chief in and over the Provinces of Canada, Nova Scōtia, New Brunswick and the Island of Prince Edward, and Vice-Admiral of the same, &c., &c., &c.;

To all to whom these Presents shall come, or in anywise concern—

GREETING :

KNOW Ye, that under and pursuant to the provisions of an Act of the Legislature of the Province of Canada, passed in the ninth year of Her Majesty's Reign, intituled, "An Act to empower Commissioners for inquiring into matters connected with the public business, to take evidence on oath," the authority in me thereby vested, and by and with the advice and consent of Her Majesty's Executive Council for the said Province, I have nominated, constituted and appointed, and by these Presents do nominate, constitute and appoint *William Foster Coffin*, of the City of Montreal, Esquire, and *Matthew Crooks Cameron*, of the City of Toronto, Esquire, Barrister at Law, to be Commissioners to examine into and report upon the causes and circumstances of and attending the recent fearful collision on the Great Western Railway in that part of Canada called Upper Canada, which has resulted in the immediate death of upwards of fifty persons; and further to examine into and report upon the origin of all previous accidents or detentions on the said line of Railway, which may have been attended by personal injury or loss of life. And I do hereby authorize and empower them, the said *William Foster Coffin* and *Matthew Crooks Cameron*, as such Commissioners, to summon before them any person or persons as witness or witnesses, and to require such person or persons to give evidence on oath, orally, or in writing, and to produce such documents and things as they, the said *William Foster Coffin* and *Matthew Crooks Cameron*, may deem requisite to the full investigation of the matters and things aforesaid.

To have and to hold the said office of Commissioners for the purposes aforesaid, unto them, the said *William Foster Coffin* and *Matthew Crooks Cameron*, during pleasure; and I do hereby require that the said *William Foster Coffin* and *Matthew Crooks Cameron* do report the result of the above mentioned investigation with all convenient speed to the Governor, Lieutenant Governor, or person administering the Government of the said Province for the time being.

Given under my hand and Seal, at Quebec, this third day of November, in the year of Our Lord one thousand eight hundred and fifty-four, and in the eighteenth year of Her Majesty's Reign.

ELGIN AND KINCARDINE.

By Command.

E. A. MEREDITH,

Assistant Secretary.

COMMISSION OF ENQUIRY,

November 3, 1854.

*Accidents and Detentions particularly enquired into and referred to
in the Evidence :—*

1st—Accident at Lobo, 2d June, 1854.

2d —Accident at Baptiste Creek, 27th October, 1854.

3rd—Accident at Princeton, 27th June, 1854.

4th—Accident at Thorold, 6th July, 1854.

5th—Detention at Baptiste Creek, 2d July, 1854.

6th—Occurrence at Thorold, 7th December, 1854.

REPORTS

Of the Commissioners appointed to inquire into a series of Accidents and Detentions of the Great Western Railway, Canada West, by Commission bearing date Nov. 3, 1854,

ACCIDENT AT LOBO, JULY 2, 1854.

HAMILTON, CANADA WEST,

December 5th, 1854.

To the Honorable
the Provincial Secretary,
Quebec.

SIR,—In the course of the investigation confided to us under Commission bearing date the fourth day of November last past, certain facts have come to our knowledge which we feel it to be our duty to bring under the notice of His Excellency the Governor General in a separate and preliminary Report.

It appears that on the second day of June last past, at about half past two o'clock P. M., a fatal accident occurred on the Great Western Railway, in the Township of London, a few yards beyond the line which separates the said Township from the Township of Lobo. At this spot the rail road Track runs for some distance on the top of an embankment averaging 30 feet in height. On the day above mentioned, and at this spot, the Express Train proceeding East ran down a cow; the Locomotive and Tender and two Baggage Cars passed over the carcase of the animal without injury; the next, a Freight Car, one Second Class Passenger Car and one First Class Passenger Car were displaced from the Rail; the Second and First Class Passenger Cars were in different degrees both partially thrown down the embankment without serious injury to the inmates; the Freight Car, laden with Emigrants and their baggage, was hurled to the foot of the slope and there broken up, killing five of the inmates; one other passenger was killed by leaping off the platform of a Car, having been thereby crushed beneath a wheel.

On the third day of June an inquest was held upon the bodies of the victims of this accident by Dr. Wanless, the Coroner of London. It was shown that the deceased were, with one exception, Norwegian emigrants destined for Chicago, that they and their baggage were being conveyed to that destination, on the Great Western Railway, in a Freight Car; that by an inexcusable error on

the part of the officers of the Company, on reaching Chatham instead of being carried onward, they had been transported back towards London, and had encountered the accident which caused their death; it was shown further that the fences of the Company were not put up at the scene of the disaster; that in consequence of this omission many cattle had been already killed by the Trains in that vicinity, but in this particular instance nothing appeared to inculpate the Driver of the Engine in any charge of carelessness or wantonness in running down the cow which caused the catastrophe that ensued.

The Jury rendered the following verdict: "That the deceased persons came to their deaths in consequence of the Car in which they were passengers having been thrown down an embankment situated on section 4 of the Western Division of the Great Western Railway, whereby they received certain injuries on their bodies of which they died; the Jury would thereon remark that the road not being fenced upon its entire route is a matter much to be deprecated, and are of opinion that the Great Western Railway Company should take immediate steps to have it securely and completely fenced forthwith. They are also of opinion that the practice of placing emigrants in the same Car with their heavy baggage is accompanied with much danger, and should be discontinued."

We give the verdict at length to show that the most important feature or first cause of this accident to which we shall presently advert more fully, does not appear to have attracted the attention of the Jury.

The investigation entrusted to us embraces this among the other accidents which unhappily have occurred on the Great Western Railway. To enable us to understand the case thoroughly, we personally visited the scene of the accident, made enquiries on the spot, subsequently took evidence on oath which is herewith submitted, and upon which we respectfully offer the following observations:

The cause of the accident was the destruction of a cow, but the question of course suggests itself whether the destruction of a cow was an unavoidable accident or the careless, the wanton, or the wilful act of the engine driver. Undoubtedly, the primary cause of the accident was the absence of fencing, but the want of fences does not relieve the engine driver from liability in knowingly encountering any avoidable object on his track.

At the Inquest the persons who spoke to the appearance and position of the cow on the track, were Thomas Horton, the engine driver, Thomas Bostwick, his fireman, and Thomas Kennedy, or rather, as appear by deposition herewith transmitted, John Kennedy, a farmer residing at the place.

Horton, the engine driver, and Bostwick, the fireman, say that two cows got upon the track. The first says: "before coming to the spot where the accident happened," but he does not say how far they were off when he saw them; The second says: that "a short distance from where the accident occurred, he saw two cows standing by the side of the track," which ran ahead &c." Kennedy says: that he "saw a cow on the railway track about twenty minutes before the train came up on Friday afternoon, and thinks she stayed there till the train did come up."

It is necessary to state here that the track, as seen from the front of a train approaching from the west is, for at least two miles, and to the eastern extremity of the embankment, perfectly straight, that an object of the size of a cow can be seen with ease on the track at the distance of a mile, that from the dangerous

narrowness of the top of the embankment at that time and place (a narrowness that had rendered a caution signal necessary at the spot and the consequent slow running of trains over it) the cow, if there at all, must have stood conspicuously on the track ; and to remark also that the engine driver in his evidence before the Coroner's Inquest says : that " he could pull up the engine " at that part of the road within 350 yards going at the rate they were."

Our observations led us to investigate this matter further. We sent for Mr. John Kennedy and took his deposition now transmitted (No. 2.) He swears distinctly (what did not appear at the Inquest) that the cow came in on the top of the embankment *at the eastern extremity thereof*, and walked down the track westerly, never having been off *the top of the embankment at all*, until she turned to run away from the train, and then her fore feet could only have gone, for a little distance, and a very short time, down the slope ; the sides of the embankment are in fact too steep for any animal spontaneously to run up or down. If this evidence be true, the cow must have been conspicuously in sight of the train for at least five minutes of the time occupied in running two miles at the rate prescribed to trains at that spot.

The evidence of Kennedy on this point is corroborated by the testimony of James Buchanan, a witness, at the Inquest, erroneously called " the son of Kennedy", and from whom upon that occasion " nothing of importance was elicited."

We would now direct attention to a part of the testimony of Mr. John Gamble Horne, which in this connection is significant. This gentleman in his deposition (No. 4) says : " For a short time previous and up to the time of the accident, " the train had proceeded more rapidly than in the earlier part of the day." This gentleman remarked the fact to a fellow passenger almost instantaneously before the accident took place. And yet this increase of speed must have taken place precisely at the time and place where a decrease was required, both on account of the dangerous narrowness of the embankment and the evident obstruction of the cow.

We infer, therefore, from this evidence that Thomas Horton, the engine driver, must have seen the cow ; that he could have stayed his speed or stopped the train before striking her ; that he purposely accelerated his speed to strike and throw the animal off the track ; that, reckless of consequences, he did a most dangerous thing at a most dangerous place, and that he should be made accountable for the fatal result.

It is to be observed that Horton did not blow his steam whistle, either to frighten and drive away the animal in approaching her, or to notify the Brakesmen on the train to " tighten up " and thereby simultaneously slacken the speed of the various parts of the train, (a most important precaution to prevent, in the case of any sudden slackening or stopping of the locomotive, the abrupt collision of the cars in the rear, one with the other,) the omission of which indicated a predetermination to rid himself violently of the obstacle in front, and which by the sudden jerk of the collision, in conjunction with the rolling up of the carcase of the animal beneath the wheels, most probably combined to cause the accident in question.

Horton explains, in his evidence " that he did not blow the whistle because " he found from experience that it only irritated the cattle." He probably meant that it confused or bewildered them. But the use of the whistle at this conjuncture was not so much to frighten away cattle, as it was a warning to

slacken, preparatory to stopping the train. It may be questioned whether the noise of the whistle could "irritate" or bewilder cattle more than the roar of the engine and the rush of the train itself.

The fact is, and it has been exemplified in the worst results on all Rail Roads that there is no more common nor more dangerous practice than that in use by engine drivers of "*running stray cattle off the track.*" In the first instance the driver may have done it by accident, unavoidably, without injury to himself or train. Impunity and impatience of the annoyance induce a repetition of the experiment, until a fatal occurrence takes place, and it must be remembered that even then he is almost always the only witness in his own case. The fireman may or may not have witnessed the occurrence, he may have been occupied with his own work, or chooses to make it so appear, the cattle are dead or dumb witnesses, and no other is present to confute or correct the statement which may be made. The driver is, in fact, while his train is in motion, the sole, and almost the irresponsible Arbiter of the fate of all those entrusted to his care. It is most important for the future safety of human life, on every possible occasion and in every legitimate way, to teach this class of men, that they cannot always elude responsibility and punishment, and that the Government is determined on all future occasions, as on this, to supply defects in the Administration of Justice, arising from the inadvertence or inexperience of Coroners Juries.

It is right, also, to mention here, a fact well known and understood upon Railroads. In *running down* cattle, injury rarely happens to the Locomotive or Tender. The great weight of either, carries it safely over the obstacle. The cars in the rear of the train are thrown off, partly from their comparative lightness, partly from the body of the animal killed, getting rolled up beneath the wheels, and partly by the absence or imperfect application of the brakes; wrenching thereby the coupling rods asunder, and jerking the trucks and wheels off the track. Thus, therefore, a train of passengers may be grievously injured, while the author of the mischief, in most cases, will escape unhurt.

It is in this view of the matter that we have deemed it to be our duty to bring this particular case, especially and promptly, under the notice of His Excellency the Governor General. We conceive that the evidence taken before the Coroners Jury, elucidated further by that which we have the honour to submit, establishes strong presumptions that the accident of the third day of June last past, and the loss of life resulting therefrom, were caused by the reckless driving of engine driver Thomas Horton; and we beg leave to suggest respectfully that such proceedings be taken in the premises as the law and the occasion require. We are satisfied that, whatever may be the result, the interposition of justice, however tardy, cannot fail to exercise a moral effect on the class of engine drivers conducive to public safety for the future.

The only safe and sure means of avoiding collisions with cattle when permitted to reach the track of the Railroad is, in all cases, to slacken speed, to put on brakes, and to be prepared, if necessary, to stop the train rather than run down an animal. When the Company is in fault, from the absence of fences, these precautions are doubly imperative. We do not find in the Rules of the Company, as printed, any provision for this case, but we do not consider that the omission can in any way exonerate an engine driver from taking all necessary and self-evident precaution. It is a part of the business for which he is hired and paid.

We do not intend here to make any further observations on the want of fences, the insufficiency of rules, the insecure state of the embankments, the frequent killing of cattle, the conveyance of emigrants and their baggage together in freight cars, or the unhappy and fatal misdirection of emigrants on the present occasion. These subjects we reserve with others for future report, and have,

Sir, the honour to be,

Your most obedient servants,

WILLIAM F. COFFIN,

M. C. CAMERON,

Commissioners.

JOHN WANLESS, of the City of London, Canada West, Esquire, Surgeon, states : that he is Coroner of the County of Middlesex and City of London. That in his capacity of Coroner he presided at an Inquest held at London on the third day of June last past on the bodies of six persons killed by an accident which occurred to a train running on the Great Western Railway, between Lobo Station and London. That he has read an account of the said Inquest and recapitulation of evidence taken thereat as contained in a number of the London Free Press Newspaper, bearing date the 8th June last past, and submitted for his perusal. He has every reason to believe that the said Newspaper contains a correct statement of the circumstances of the accident and of the evidence taken at the Inquest.

JOHN WANLESS,

Coroner,

City of London, County of Middlesex.

*Transcript of evidence taken at an Inquest held at London on Friday,
the 2nd June, 1854.*

On Friday afternoon a feeling of painful anxiety was excited in town in consequence of the arrival of an engine and tender, which brought the unwelcome intelligence that a serious accident had occurred on the Great Western Railway, to the Express Train, which had been coming East, and which was due here at 2-30' P. M., at a place 7 miles distant from London.

The Officers of the Company lost no time in securing the services of as many of the Medical-Men, who could be found, and Drs. McKenzie, Wanless, Brown and Anderson, were quickly despatched to the scene of the disaster. We availed ourselves of the occasion to visit the spot, and upon arrival a most painful scene presented itself. The bodies of five Men and one Woman were stretched in death, bearing marks of having come to a violent and a fearful end. Further on, beneath the shade of some trees, were the wounded, whose sufferings were being assuaged as far as possible by the Officers of the Company, the passengers and others who had collected at the spot. A little further on lay the wreck of the train. The accident had occurred at a most unfortunate place ; it was on an embankment which had been raised in a swampy hollow between two cuttings, and, which was some thirty-five feet high. Three carriages had been thrown off the track at this place, and consisted of a, 1st, 2nd, and a baggage car. The first was in an upright position, partly on the bank and partly on the track. This was not much damaged, and the passengers escaped without injury except one Page who jumped off at the time of the accident, and was drawn under the wheels in accordance with the well known laws of momentum and mangled to

death. The next lay on its side, about half-way down the embankment. This car was not much broken, but the concussion had been sufficiently violent to start all the seats from the floor, and to hurl them, together with the passengers, to the downmost end of it; strange to say, but a few passengers in the car were hurt, and those not very severely; the last was the baggage car. This was shattered into a hundred pieces, the frame of which was lying floor upwards at the bottom of the embankment; it was in this car that five of the deceased were at the time of the accident, together with a large quantity of heavy baggage, which belonged to them and their fellow countrymen, who had gone on in a previous train; parts of this car, and its contents had been hurled to considerable distances, and the boxes of the poor people, which contained all their goods, and the little mementos of the home they had left, were lying scattered about in all directions; the immediate cause of the accident was a cow, which had got on to the track, and seemed to have selected the most dangerous place for the exercise of her unfortunate stupidity; for, if the accident had occurred elsewhere, the slow rate at which the train was proceeding, (15 miles per hour) would lead to the supposition that no loss of life would have ensued, but the baggage car having rolled over and over down an embankment of 30 feet, is of itself a sufficient explanation of the lamentable loss of life; the passengers in these cars, which did not roll down were comparatively uninjured, but it is surprising that any who were in the baggage car escaped with their lives; the cow itself lay mangled at a short distance from the car, and was nearly severed in two; the train seems to have run about a hundred yards after the cow was first struck, and the rails were torn up for about the same distance. As soon as the necessary arrangements could be made, the poor unfortunates living and dead, were brought on to London, (the passengers had been previously sent) the wounded were placed by the Agents of the Company under proper treatment, and the deceased were taken to the Fireman's Hall to await the Inquest. Four of those killed were members of one family, and comprised the father, mother and two sons, named Aslak Thorbjorngen, Hari Terges Dalten, Thorbjoren Aslakjen, Tijer Aslakjen, and were from Egosen, in the District of Sonogadold, Norway; the fifth was a friend named Telless Oljen, who had emigrated with them; and the last a person named Page, who had formerly been a constable in Delaware, and who became involved in the fatal effects of the accident by jumping off the train. Upon the arrival of the bodies hundreds of people were awaiting them, and a feeling of intense commiseration was evinced by the crowd upon seeing the remains, but the good sense of the people prevented any hindrance to the painful task which the Company's servants had allotted to them.

The Coroner's Inquest.

Shortly after 8 o'clock P. M., the Jury which had been summoned assembled in the Fireman's Hall, and after having been duly sworn proceeded to view the bodies which were lying in the Engine House, beneath. The first one was that of an aged woman who bore several marks of severe injury on the face, and many of her ribs were found to be broken; all other bodies were more or less disfigured, but death would seem to have been very sudden as their countenances did not present any symptoms of their having suffered much pain. After the usual preliminaries, Henry Brunstead was sworn and acted as interpreter to the Norwegians. Turlockson Thorbjoren, who stated that he was a farmer, was next sworn. Had left, Hamilton on Thursday night, and was taken up some distance

West of London, when the car in which himself and the deceased was unhitched from the train. On the morning of Friday, another train came and their car was attached to it, and they were brought back again East, to the place where the accident occurred ; their luggage was in the car with them ; the deceased was his mother, and at the time of the accident was sitting on the floor between two boxes ; the boxes were piled at both ends of the car ; he felt a jolting after which he got hurt by the boxes, and does not recollect more as he became insensible. Upon coming to himself he saw his mother lying on some pillows ; some one came to him and told him that she was dead ; the passengers' cars were full at Hamilton, and they were told by a man named Tillis, to go into the baggage car ; Tillis was an interpreter who had been employed at Quebec to take them up the country to Chicago ; They had paid their fare at Quebec, through to Chicago.

NEIL SWOLSHRIM, was next examined. Was a farmer. Paid his passage at Quebec to Chicago ; paid it to one Holdbelt. They reached Hamilton at about 9 o'clock on Thursday night, and their baggage was taken up to the cars. There was no room for them in the passenger cars, and Tillis told them to go into the baggage car. Cannot say how far they went west before they were brought back again. Was in the same car with the deceased ; was lying on a box when the cars commenced shaking and turned over ; was not much hurt himself. The car tumbled down the embankment, and when he came to himself he saw some men bearing the dead from the cars ; saw the deceased carried out of the car. When they arrived at Hamilton they did not pay any more fare except on their luggage.

THOMAS KENNEDY, is a farmer in the township of London. Saw a cow on the railway track, about twenty minutes before the train came up, on Friday afternoon, and thinks she stayed there till the train did come up. When they did come up, the cow ran off the track, and then when the cars were within about twelve yards of her she went on again and ran in front of the engine for about 200 feet, when the engine struck her and passed over her. The cars then got off the track and went partly down the embankment ; the bank at that place was about 30 feet high. The engineer did not blow his whistle. He thought the cars were going rather faster than usual. The line is not fenced in at the place where the accident happened ; believes it is the duty of the Railway Company to fence in the road ; several cattle and sheep have been killed within half a mile of the same place. The Company had put up the fences on some other parts of the line. When the accident occurred he went down to render assistance.

THOMAS HORTON, was engineer driver of the Rein Deer. Before coming to the spot where the accident happened, he saw two cows, one on each side of the track ; one of the cows attempted to cross the track, but before she could do it the engine struck her and knocked her down on the track, when the engine and two baggage cars passed over her ; the third car was thrown off the track, as also the fourth and fifth ; he stopped the engine as quickly as possible ; it was not more than 150 yards after the cow was struck before the engine was stopped. One of the cows was on the side of the bank and then ran on to the track ; the cow was only some ten or fifteen yards in advance of the engine when she came on to the track ; he was driving at the rate of about 15 miles per hour ; was going slower than usual in consequence of the engine having been disabled for the previous 36 miles ; it was an up-grade where the accident occurred ; if he

had been going faster the cow would have been knocked clear out of the road, and the accident would not have occurred. A Juror here asked if it was not the practice to run down the cows on the railway, instead of stopping the engine? Witness replied that they valued their necks too much. After the accident the conductor and himself did all they could to alleviate the sufferers. Had been accustomed to drive engines for the last 16 years, and had been on the Great Western since October last. So far as he was concerned the accident was unavoidable; it was impossible to have pulled up the engine in so short a space. The reason why he did not blow the whistle was that he had found from experience that it only irritated the cattle, when they were almost sure to run on the track; it was better to get past them as silently as possible; had passed hundreds in that way; he could pull up the engine at that part of the road within 300 yards going at the rate they were; the brakes were in good order. If the accident had occurred on a level portion of the country, the loss of life would not in all probability have been so great; the track was in perfectly good order. The engine struck the cow on her side; if she had been running in front of the engine the cow-catcher would most likely have thrown her off.

THOMAS BOSTWICK, is fireman to the Rein Deer. A short distance from where the accident occurred, he saw two cows standing by the side of the track; as they neared them, the one on the left side attempted to run ahead, and on their coming up tried to cross the track at about 12 yards ahead of the engine. As soon as he saw this he went across to the right side of the engine and saw the wheels go over her; two baggage cars also went over it, but the third, fourth and fifth cars went off the track. He called to Horton, the engineer, and went himself to the brakes; when the engine stopped, he went down to give assistance to the passengers; in the first place he lifted some children out of a window, and then assisted a man (Page) who was under a wheel; the accident was quite unavoidable; did not see the deceased woman taken out of the car.

C. J. BRYDGES, Manager of the Great Western, was next examined. It was no unusual thing in America to put the emigrants in the baggage car; emigrants preferred generally to travel with their baggage, and it was to their interest to do so. They had their food, which they always brought with them in their trunks, and it was more convenient for them to be where they could get it. A different ticket was given to the emigrants at Hamilton, which carried them over the Great Western and Central Michigan, to any place which they might wish to go. Does not think that there was more danger in travelling in the baggage cars than in the second class; the only difference between them is that the latter have seats in them; the emigrants are more comfortable in the baggage cars, as they take out their bedding at night and sleep upon their baggage; if the emigrants had objected to go into the baggage cars they would have gone by the next train, in the second class; since the night express train has been put on, the emigrants have been taken by it; before that time the emigrants have often entreated to be sent on by the baggage cars, instead of waiting over. Mr. Brydges also stated that he appeared for the purpose of affording the Jury every information touching the matter, and if they wished to examine any other officers of the Company he should secure their attendance.

It being now nearly one o'clock on Saturday morning, the Jury adjourned till eight o'clock. At the appointed time the enquiry was continued.

M. C. J. BRYDGES was again examined. There was no doubt the greater the weight of the car the less was its liability to leave the track; this was proved

from the fact that the engine and tender almost invariably run over any obstacle and it was the lighter cars behind which were thrown off; the heavy baggage in the car in which the emigrants were would have a tendency therefore to cause it to keep the track. There was no doubt that the cow became rolled into a heap by the action of the wheels of the engine and tender, and thus a greater obstacle was presented to the wheels of the baggage car, and it was thrown off. The seats in the second class cars were very cumbersome, and had many nails and sharp points; in this case they were all torn up, and together with the passengers, to the farther end of the car; he thought that they would be as likely to inflict serious injury as the boxes of the passengers; the baggage car had rolled completely down the bank, and had fallen, bottom upwards, and the concussion in that car must have been much more violent than in the second class car, which had only gone partly down the bank.

Another witness, the son of Kennedy, was also called to speak as to the relative position of the cow and the train, but nothing of importance was elicited.

The Court having been cleared, the Jury proceeded to consider their verdict, when after a most patient examination of the whole of the evidence, which lasted some hours, the following verdict was rendered:

That the deceased persons came to their deaths in consequence of the car in which they were passengers, having been thrown down an embankment situated on Section 4, of the Western Division of the Great Western Railway, whereby they received certain injuries on their bodies, of which they died. The Jury would thereon remark, that the road not being fenced up on its entire route, is a matter much to be deprecated, and are of opinion that the Great Western Railway Company should take immediate steps to have it securely and completely fenced forthwith. They are also of opinion that the practice of placing emigrants in the same cars with their heavy luggage, is accompanied with much danger, and should be discontinued.

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Statement with reference to accident near Lobo, June, 1854.

WILLIAM McMULLEN, of the Town of Sandwich, Esquire, Attorney at Law, stated that in the early part of the month of June, 1854, he was travelling in the Car of the Great Western R. R. Company from Chatham to London; he was seated in the second first Class Passenger Car of the Train; ahead of that Car was another first Class Car preceded by a second Class Car containing German Emigrants which had been taken on at Chatham; shortly after leaving Lobo Station, while running on a high embankment of from 70 to 80 feet in height, the train suddenly stopped, his attention was instantly attracted to the first class and second class passenger Cars which preceded the Car he occupied; both had become detached from the train, and both were at that moment falling down the embankment; one had reached the bottom, the other was tumbling over, got out of the Car instantly, and helped to extricate the inmates of the fallen Car. Found one man crushed under the first class Car; took half an hour to dig him out; he was not an Emigrant. The second class Car before referred to was not in fact a second class Car, it was an ordinary freight Car containing second class passengers and their baggage together. This car was hurled down the embankment; I helped to get out the passengers who were therein; we found six killed in the said Car crushed by their baggage, and about a dozen wounded. The cause of the accident was a cow or ox which had encountered the train on the track on the top of the embankment; the embankment extended for at least 100 yards clear

ahead of the point where the Locomotive stopped on the occurrence of the accident; the hour at which the occurrence took place was about two o'clock in the afternoon; the day was fine and clear. The name of the Conductor was Halford; the Engine Driver, I do not know.

WILLIAM McMULLEN.

Signed and acknowledged before WILLIAM F. COFFIN.
15th November, 1854.

Deposition of John Kennedy, London, 30th Nov., 1854.

JOHN KENNEDY, of the Township of London, in the County of Middlesex, yeoman, being duly sworn, deposes and saith; that he lives with his father Andrew Kennedy on his farm, being the west half of lot number thirty, in the fourth concession of the said Township. That the Great Western Railway passes through the said farm; he remember an accident which occurred on the said Railway on the second day of June last past, by which certain passengers in the train lost their lives. At about the hour of half past two P. M. of the day last mentioned, this deponent was employed planting potatoes on a part of the said farm about forty rods from the track of the Railroad; could see the Railroad track from where he stood; at this place the Railroad track went for a considerable distance on the top of an embankment; about the time last above mentioned deponent heard the rush or noise of a Railroad train coming from the west; had before then noticed several cows on the track of the road and among other a red and white cow; had seen this cow come upon the track at the easterly end of the embankment, and proceed along the embankment westwards; at the time deponent heard the train approaching, the cow was upon the top of the embankment, moving to the west; saw the cow as if looking at the approaching train; witness ran down from where he was at work in the direction of the Railroad, supposing that the cow would be struck; on arriving at about one hundred yards from the embankment, as deponent judges, he observed that the said red and white cow was near the end of the embankment, but not off or beyond the embankment; at this time the train was near and rapidly coming up; the cow turned and ran on the top of the embankment in an easterly direction; deponent believes that she must have run along the track as the edges of the embankment beyond the ends of the ties or sleeper were very narrow; deponent at this moment could not see the train on account of the woods and of a natural bank forming the ascent to a bridge which cross the Rail track about one hundred yards to the west of the spot where the cow was struck by the train. The cow had turned and had run some short distance easterly before she was struck; deponent thought that at this time the train was travelling faster than usual at that locality; from some defect in the road at this place, a green flag had been put up on the embankment, and the train had been used to slacken its speed at this spot; I was under the impression that when the cow was struck the train was travelling faster than it usually did at this part of the road, but cannot say that it was travelling faster than it usually did on other parts of the road; saw the cow struck by the engine, and then saw the Car behind shaking, and two or three Cars went off the track, one of them a freight Car fell down the embankment on the side opposite to where the deponent stood, and the other two went partially down the bank. Seven persons were killed by this accident; five minutes must have elapsed from the time that deponent first heard the train approaching and the striking of the cow. Deponent only saw one cow on the track at the time the engine came up, and for some few

minutes before ; some short time before had seen several cows about the track. The fences of the Railway Company had not been put up, and cows were in the habit of crossing from the south to the north side of the embankment for the purpose of drinking at a place on the north side of the embankment ; deponent does not know who owned the cow ; it was a stray animal which had been feeding among the cattle of deponent ; he gave evidence before the Coroners inquest held on the bodies of those who fell victims to the accident ; in stating at the inquest that the cow ran off the track, deponent meant to say that she ran from off or between the rails on to the edge of the road ; he did not mean thereby that she ran down the embankment ; considers the average height of the embankment to have been thirty feet. The Railroad to the west of where the cow was struck was a straight line for at least a mile, and to the east was straight for half a mile ; the line was quite straight from the place where she entered on the track to the place where she was struck. A cow standing on the track could be seen, to deponent's judgment, for at least half a mile distance ; when the cow turned, her fore feet may have been down the embankment, but she did not run down the embankment, she was near out of deponent's sight.

And the deponent having heard the above deposition read, declare the same to contain the truth, and has signed the same.

JOHN KENNEDY.

Taken and acknowledged before me, at London, this 30th day of Novr. 1854.

WILLIAM F. COFFIN,
M. C. CAMERON.

Deposition of James Buchanan, London, 1st Dec., 1854.

JAMES BUCHANAN, of the township of London, in the county of Middlesex, yeoman, being duly sworn, deposeth and saith : I am sixteen years old, and live on John Kennedy's farm, in the fourth concession of the township of London ; do not know the number of the lot ; the Great Western Railway runs through the farm. I recollect an accident which occurred on the Great Western Railway, where it passes through Kennedy's farm, by which some persons were killed. It was sometime in the month of June or July last, and is the same accident that John Kennedy and myself gave evidence upon before a Coroner's Jury, and is the only accident resulting in loss of life that occurred to my knowledge on the Great Western Railway at that place. It was occasioned by the locomotive running over a cow on the track. I saw the accident take place ; I was standing on the right hand side of the track, looking to the west (north side), at the distance of about a quarter of a mile to the east of the bridge crossing the railway at the west end of the embankment. I was standing on a level with the track about two o'clock in the afternoon ; I saw two cows upon the railway track on the embankment ; they were nearer to the west end of the embankment than the east ; I did not see them go upon the track ; they were proceeding westward when I first saw them ; one was between the rails and the other was on the outside of the rail on the edge of the bank on the side opposite to where I was standing ; the bank was about the same width as the ties, in some places a little wider. I saw the train coming from the west for about a mile and a quarter ; the cow between the rails was red and white, the other was black and white ; the black and white cow went off the track before the engine came up, and the red and white cow proceeded towards the cars ; she continued on the track all the time, and turned and ran back towards the east when the cars were

within five or six rods of her ; she had run back about three rods when the engine struck her, and almost immediately afterwards I saw three cars run off the track ; one rolled right down the embankment and turned over and was smashed, this was the third car from the tender ; the locomotive, tender and two forwarded cars remained on the track ; the fourth car also went down the bank, and the fifth part of the way down ; the people who were killed were in the third car ; they were foreigners, but of what country, I do not know. I did not see the red and white cow go off the track from the time I first saw her until she was truck by the locomotive ; the engine did not slacken speed on coming up ; I am quite sure this cow did not go off the track and come on again from the side of the bank at the west end of the embankment after I first saw her, or at any time after the cars were within a mile of her. From the position of the cow on the track, I am sure she could have been seen from the locomotive of the approaching train, at least a mile off ; the line of railway is quite straight for about four miles to the westward of the place where the cow was on the track ; the cow when she turned to run back was, I should think, at least one hundred yards from the bridge easterly. I was sick with the ague, at the time and was not at work. After I saw the cars coming, I was afraid to go on to the track to drive the cow off ; I used to drive the cows of the track when I saw them on, and on one occasion I did so when a gravel train was coming, and I only got the cow off when the train got within a few rods of me, and a person on the train told me not to run such risks for the sake of a cow. I did not hear the whistle of the engine as it came up, and I do not think the whistle was sounded, or I should have heard it.

his
 JAMES + BUCHANAN.
 mark.

Taken, sworn and acknowledged
 before us, at London, this 1st
 day of December, 1854.

WILLIAM F. COFFIN,
 M. C. CAMERON.

Statement of John Gamble Horne, London, 25th Nov., 1854.

JOHN GAMBLE HORNE, of the town of London in Canada West, Esquire, states : that on or about the second day of June, 1854, he was in a train of the Great Western Railway Company, proceeding easterly towards London, when an accident occurred to the train between Lobo and London, about half way ; believe the time to have been about one o'clock, P. M. The first intimation he had of the accident arose from the abrupt stopping of the train. For a short time previous and up to the moment of the accident, the train had proceeded more rapidly than in the earlier part of the day ; on the check takingplace he saw from the seat he occupied that certain cars forming the front part of the train had gone off the track ; went out after a short time and inquired into the circumstances of the accident ; found one car, a freight car, at the bottom of the embankment, which at that spot was about forty feet high ; this car was quite broken up, and its contents, consisting of boxes, chests and bedding, such effects as generally constitute the baggage of emigrants, were broken up and scattered about. Five men and one woman who had occupied this car were killed ; one other man named Page was also killed. He saw the remains of a cow much

mutilated, lying on the track ; it evidently had been the cause of the disaster. The whole train, of which the car deponent occupied was the last, had passed over the body of the animal ; the deponent cannot say how far the cow had proceeded on the track after getting thereupon, before she was struck. There was a bridge, just passed by the train, so situated athwart the railroad with its abutments, as to prevent the driver of the approaching train from seeing any objects beyond, except such as were actually upon the track. While he remained at the scene of this catastrophe, saw many cattle straying about, and observed that the fences dividing the railroad property from the contiguous farms, had not been made.

The foregoing having been read to deponent, he declares the same to contain the truth, and hath signed.

J. G. HORNE.

Acknowledged and sworn before
us this 25th day of November,
1854.

WILLIAM F. COFFIN,
M. C. CAMERON.

*Extract from evidence of William Scott, of Windsor, Canada West, Civil Engineer,
taken before the Commissioners on oath, 25th November, 1854.*

The accident called the Lobo accident, was occasioned by a cow getting on the track ; there was no fencing for some miles of both sides of the place where the accident occurred. It was on the 3d June, 1854. Three cars ran off the track, one first class, one second class, and one baggage car. It was on an embankment, the top of which was very little wider than the ties ; this bank was considered dangerous, and a green flag was placed there to indicate the car should run slow in crossing ; the bank was about eleven feet wide ; all the banks should be fourteen feet wide, according to instructions ; in the old country embankments are always at least eighteen feet wide for a single track as far as I have seen. The cars would have run off down the embankment if it had been eighteen feet wide ; the embankment is from twenty-five feet to thirty feet high. I do not think a cow could stand between the edge of the embankment and the cars.

True Copy.

WILLIAM F. COFFIN.
Hamilton, December, 1854.

A.

Schedule of Accidents on the Great Western Railway, from the opening of the Road, 10th November, 1853,, to 10th November, 1854.

I.

ACCIDENT AT LOBO,—JUNE 2, 1854.

Separate Report thereupon, with Documents enclosed, transmitted to Quebec, 5th December, 1854.

II.

ACCIDENT AT BAPTISTE CREEK,—OCTOBER 27, 1854.

Evidence examined or taken and referred to in the Report.

- No. 1—Evidence taken before two Coroners' Juries, 28th Oct. and 4th Nov., 1854.
 2—Evidence of C. J. Brydges, Esquire.
 3—Deposition of John Hogan.
 4—Statement of Thomas Mason.
 5— " of Henry Taylor.
 6— " } of Charles Quentin.
 } of George Barnhardt.
 7—Deposition of Charles Gallagher.
 8— " of John Smith.
 9— " of John Kettlewell.
 10— " of T. C. Gregory, with Appendices A and B.
 11—Deposition of William Scott, Civil Engineer, with Appendix A. Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12.
 12—Extract from Billasting Contract between the Great Western Railway Company and George F. Harris.
 13—Diagram and Plan of piston-head, shewing position of screw bolts, locality of fracture, and present contrivance to prevent a recurrence of a like accident.

III.

ACCIDENT AT PRINCETON,—JUNE 27, 1854.

- No. 2—Evidence of C. J. Brydges, Esquire.

IV.

ACCIDENT AT THOROLD,—JULY 6, 1854.

- No. 2—Evidence of C. J. Brydges, Esquire.
 14—Deposition of Frederick William Watkins.
 15— " of John Galbraith.
 16— " } of Lindsay Crawford.
 } of Levi Beemer
 17— " of Dr. Mack.
 18— " of Charles F. Woodward.
 19—Diagram and Plan of proposed improvement in the construction of Cars prevent the truck from slewing round when the wheels get accidentally the track.

V.

DETENTION AT BAPTISTE CREEK, AND FATAL CONSEQUENCES,—
JULY 2, 1854.

- No. 2—Evidence of C. J. Brydges, Esquire.
 20—Deposition of Alexander Bartlett, Coroner.
 21—Evidence at Inquest held on Cholera cases at Windsor.
 22—Inquest and finding of Jury on Cholera cases at Windsor.
 23—Deposition of Samuel Smith McDonell, Reeve of Windsor.
 24— “ of Alfred L. Dewson, M. D.
 25— “ of Alexander Gordon.
 26— “ of Isaac Askew.
 27— “ of John Wright Blackadder.
 28— “ of Daniel Allan.
 29— “ of Charles Baby, Esquire.
 30— “ of David Chapman, G. W. R.
 31— “ of James Fisher, G. W. R.
 32— “ of William F. Andrews, G. W. R.
 33—Report of accident which befel Locomotive Engine near Rochester, 1st July, 1854.
 And note William Bowman, G. W. R.
 Also, vide
 3—Deposition of John Hogan.
 7— “ of Charles Gallagher.
 8— “ of John Smith.
 Also,
 Letter from Board of Health, Windsor, to C. J. Brydges, Esquire, 4th July, 1854.
 Letter from C. J. Brydges to Board of Health, Windsor, 6th July, 1854.

MISCELLANEOUS EVIDENCE AND DOCUMENTS.

- No. 34—Deposition of John H. Greer.
 35— “ of John Finkle, Esquire, Reeve of Woodstock.
 36— “ of George H. Whitehead.
 37— “ of William Gray, Esquire.
 38—Statement of Hon. Malcolm Cameron.
 39— “ of William F. Coffin, Esquire.
 40— “ of Col. Dibble, of Detroit, corroborated by
 B. C. Whittemore, State Treasurer, Michigan,
 J. H. Harmon, Collector Customs, Detroit.
 C. C. Trowbridge, President Michigan State Bank.
 O. M. Hyde, Mayor, Detroit.
 M. A. Cook, Recorder, Detroit.
 41—Letter from J. F. Broadhead, Postmaster, Detroit.
 42— “ of Matthews, Conductor G. W. R., to C. J. Brydges, Esquire.
 43—Article from New York Tribune, 17th November, 1854.
 44—Letter from John T. Clarke to C. J. Brydges, 17th October, 1853.
 45— “ from C. J. Brydges to John T. Clarke, 28th October, 1853.
 46— “ from John T. Clarke to C. J. Brydges, 28th October, 1853.
 47— “ from John T. Clarke to President and Directors Great Western Railway
 21st November, 1853.
 48—Extract of Proceedings Board of Great Western Railway Company, 7th December, 1853.
 49—Letter from C. J. Brydges, Esquire, 25th December, 1854, inclosing document
 Letter S.
 50—Deposition of William Bowman, Mechanical Superintendent G. W. R. Company.

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DOCUMENTS PRODUCED AND FILED BY C. J. BRYDGES, ESQUIRE.

- A. Notice to Gravel Train Conductors, 18th March, 1854.
- B. Notice to Gravel Train Conductors, 27th March, 1854.
- C. Letter from R. C. Gregory to T. D. Twitchell.
- D. List of Engine Drivers Great Western Railway, November, 1854.
- E. Time Table, October 23, 1854.
- F. Great Western Railway Company, Report to September, 1854.
- G. Connections made Niagara Falls for six months.
- H. Testimonials.
- I. Testimonials.
- K. Testimonials.
- L. Addition to previous Evidence No. 2.
- M. Letter from Richard Madigan.
- N. Return of Staff Great Western Railway.
- O. Letter from Alexander Macfarlane, Station Master, Wardsville.
- P. Statement shewing number of Road-crossings.
- Q. Rules of the Road to November, 1854.
- R. New Rules of the Road from November, 1854.
- S. Accidents upon Michigan Central Railroad, 1854.
- T. Letter from ——— Cumberland, of Toronto, Esquire, Civil Engineer.

R E P O R T .

MONTREAL, 7th February, 1855.

To The Honorable
The Provincial Secretary,

SIR,—On the third day of November last past, we had the honor to be appointed, under Commission from His Excellency the Governor General, hereto prefixed, as Commissioners “to examine into and report upon the causes and circumstances of and attending the recent fearful collision on the Great Western Railway in that part of Canada called Upper Canada, which has resulted in the immediate death of upwards of fifty persons, and further to examine into and report upon the origin of all previous accidents or detentions on the said line of Railway, which may have been attended by personal injury or loss of life.”

2. In execution of this trust, we repaired without delay to Upper Canada, and having visited the whole line of the Great Western Railway, from the Falls of Niagara to Windsor, we gave our immediate attention to the attainment of so much and such preliminary information from disinterested persons, as would enable us to shape our subsequent enquiries in the manner most likely to effect the object of our Commission.

3. We could not fail to perceive, from the very first, that an enquiry instituted into the origin of divers accidents which had occurred within a late period on a great line of public communication, could not fail to give rise to questions affecting the remote as well as the immediate management of the enterprize, and that in the actual state of public feeling, it would be impossible to arrive at any just or clear conclusion if sought, in the first instance, through the contradictory and perplexing medium of local prejudice or personal predilection.

4. In this view, therefore, and with these objects, we visited Detroit twice, and at a later period, extended our enquiries to Buffalo and Utica, and Albany in the State of New York. To meet the convenience of numerous parties, we found it necessary to examine in Canada, as well as to spare all avoidable expense, after opening our Commission formally at London in Upper Canada, on the 28th Nov., we repaired to Chatham, to Baptiste Creek, to Windsor, and to Sandwich. From thence we returned again to London, proceeded thence to Lobo, to Woodstock, to Hamilton, and to Thorold, visiting personally the scene of each of the accidents hereinafter referred to, taking evidence on the spot in each particular case, and investigating carefully all the circumstances which could throw any light upon them.

5. Our thanks are due to many leading citizens of the States of Michigan and New York for information, and for the expression of opinions and of practical views on the subject of enquiry, which are, to a great extent, embraced in the Report which we have now the honor to submit for the consideration of His Excellency the Governor General.

6. We obtained from the Managing Director of the Great Western Railway, the following schedule or statement of the accidents which had occurred on the line of road from the opening of the first section thereof, on the 10th day of November, 1853, to the first day of November, 1854:—

| | |
|------------------|--|
| No. 1—1853, Dec. | 12—Hamilton : One man killed. |
| 2— “ “ | 26—Cape Town Creek : One man killed. |
| 3—1854, March | 13—Chatham : One man killed, two men hurt. |
| 4— “ “ | 23—Stoney Creek : One man killed. |
| 5— “ April | 22—Woodstock : One man killed. |
| 6— “ “ | 26—Niagara Falls : No one hurt. |
| 7— “ June | 1—Chatham : One man killed. |
| 8— “ “ | 2—Lobo : Six persons killed, fourteen injured. |
| 9— “ “ | 10—Chatham : One man hurt. |
| 10— “ “ | 12—Woodstock : One man killed. |
| 11— “ .. | 27—Princeton : Two men killed, six injured. |
| 12— “ July | 6—Thorold : Seven persons killed. |
| 13— “ August | 22—Capetown : One man killed. |
| 14— “ Sept. | 30—Woodstock : One man killed. |
| 15— “ October | 11—Beachville : One man killed. |
| 16— “ “ | 27—Baptiste Creek : Fifty-two killed, forty-eight wounded. |
| 17— “ “ | 29—London : One man killed. |

7. Our investigation into the causes of all the accidents enumerated in the above schedule led us to the conclusion, that in the cases Nos. 3, 4, 5, 10, 13 and 17 the deaths of the persons killed were to be ascribed to their own rash exposure, while under the influence of liquor, or, under circumstances, which in no way implicated other parties.

8. In the case No. 2, the engine and tender had left the track, thereby hurting one man who died in consequence. From the conflicting opinions entertained at the time of the occurrence, and the interval which has elapsed since, it has not been in our power to ascertain or assign a cause for this accident.

9. In the case No 9, the injury done resulted from the breaking of one of the axles of the tender to the engine of the train. Mr. William Scott, formerly one of the Engineers to the Company, in his evidence, states “ that on examination “ the iron of the axle appeared to be very bad—the worst that he had ever seen, “ and that he believes, but is not positive, that there must have been a visible “ flaw before the occurrence.”* If such had really been the case, it ought to have been detected in the daily and close examination of all the rolling stock in use enjoined by the regulations of the Company ; but on the other hand, the usual examination is declared to have taken place, and no flaw to have been discovered, and as to the pre-existence of the flaw, Mr. Scott is himself doubtful. It is the interest as well as the duty of every Railway Company to see that the material of their rolling stock is of the best description. They pay for the best, but it is difficult and, in some cases, impossible to anticipate or divine defects. The reputation of the manufacturer is, generally, the best guarantee for the excellence of the work. No amount of reputation in the maker, however, should relieve the Company from proper care and circumspection in accepting work done to order, or from constant and minute examination of such machinery while in use, but it does not appear to us, that, in the present instance, the servants of the Company had been remiss in this particular.

10. In the case No. 7, Worthington, a conductor, fell a victim to his own zealous, but somewhat incautious, act in the discharge of his duty.

11. In the case No. 14, the person killed, fell, from want of sufficient precaution, from an engine while in motion, and died from injuries received in the fall.

12. In the case No. 15, the accident arose from the common and most dangerous practice, against which it is equally difficult to provide and useless to argue—the practice of attempting to get on a train at a station after it is once set in

* Vide evidence of William Scott,—No. 11.

motion. In this instance, the man killed made the attempt, missed his hold or his footing, fell, and was crushed beneath the wheels of the train.

13. In these three cases the parties were victims to their own inadvertence or want of proper precaution.

Accident at Princeton.

14. In the case No. 11, the accident which caused the death of two and serious injury to six persons, is to be ascribed to the act of one Beemer, a track-layer, who had removed rails and part of the track near Princeton for the purpose of making repairs, without using the ordinary precautions or sending out the signals provided by the rules of the Company. The consequence was that the engine of an approaching train rushed into the gap, and the above mentioned casualties resulted therefrom.* As Beemer, the track-layer, was tried for the offence and acquitted by a Jury of his countrymen, it is not for us to express any further opinion on the subject. We conceive it, however, to be very desirable for the security of the public as well as for the just protection of Railroad Companies, that all cases affecting such Companies or of individuals against such Companies, or in which the public safety and interests may be involved, should be removed to the jurisdiction of tribunals remote from the operation of local or personal influences.

15. The fatal results of case No. 1, which occurred near Hamilton, 12th Dec., 1853; No. 8, which occurred near Lobo, 8th June, 1854; and No. 12, which occurred near Thorold, 6th July, 1854, are to be ascribed to the same cause—the presence of cattle on the track of the Railroad, arising from the deficiency or the insufficiency of fencing, which, under the provisions of the Act, 4 Will. IV., c. 29, the Great Western Railway Company ought “to erect and maintain “during the continuance of that Corporation.”

Accident near Hamilton.

16. The first fatal accident, indeed, which took place on the Road (Case No. 1) occurred on the 12th December, 1853, within a mile of the City of Hamilton. A train proceeding West encountered three cows on the track. The engine, tender, three passenger cars, and one baggage car, were thrown off, and much damaged. The fireman of the locomotive was so badly crushed that he died the next day. The cows which caused the accident had strayed upon the track from the want of proper fencing on that part of the line of road.

Accident near Lobo.

17. The case No. 8 has already been made the subject of a Special Report, transmitted to the Government from Hamilton on the 5th December last past, accompanied by documents in corroboration. We will briefly recapitulate the circumstances to enable us to advert to other subjects of consideration referred to therein, as reserved for present notice. On the 2nd day of June, 1854, an express train of the Great Western Railway proceeding East, was thrown off a high embankment in the Township of Lobo, by the engine striking a cow. The occurrence took place in open day-light. The road was perfectly straight at that part of the line. From the evidence we obtained and transmitted we are satisfied that the cow was for many minutes prominently conspicuous on the track. At this spot, the top of the embankment was dangerously narrow and steep. The instinct of the animal deterred her from venturing down a descent of such conformation and so situated. The space outside of the track, or outside of the extreme ends of the sleepers or ties scarcely afforded foot-hold. If upon the top of the embankment at all, at this particular spot, the cow must have been seen clearly and distinctly by the driver of the engine, and he could and should have stopped his train rather than have run the animal down. We believe him

* Evidence of Mr. Brydges.—No. 2.

to have been guilty of great recklessness, and that he should be made responsible for the consequences. To this object our first report was specially directed. Six of the passengers on the cars were killed on the spot, and fourteen wounded. Of the killed, five proved to be Norwegian Emigrants. They had been conveyed in a freight car with their baggage, consisting, as is usually the case, of casks, strong chests, and other ponderous packages. The car, with its contents, was hurled down the embankment, a descent of at least 35 feet. It is, of course, impossible to affirm the immediate cause of the death of these unfortunate persons: whether they were killed by the fall and demolition of the car, or crushed by the weight of their own baggage, or overwhelmed by the truck of another car, which, it is stated, fell upon them.* It is probable that death ensued from a combination of these causes. But it is our duty to call attention to the improper use of freight cars for the transportation of emigrants, and the still more improper use of such means of conveyance when passengers and their baggage are accumulated in the same vehicle. Even under the best organization and the most favorable circumstances, it cannot fail to aggravate the risks inseparable from Railroad travelling. We find, in this particular instance, that the car which next followed the freight car down the embankment, was a second-class passenger car, such a car, in fact, as emigrant passengers ought to have been conveyed in. This car was partially thrown down the declivity. Had it been a freight car laden with passengers and baggage, the crushing weight of the detached masses would, most probably, have proved fatal to the greater part of the inmates. As it was, although all the seats of the second class car were torn away, and the whole contents, animate and inanimate, were "shot together in a heap" at the lower end of the car, and, although many of the passengers were hurt, no person was killed. We conceive that when a Railroad Company publicly notifies its intention of operating its road, and professes ability to transport passengers, it conveys and intends to convey to the public mind the assurance that each class of passengers will be transported in usual and appropriate carriages. Each class pays for, and is entitled to proper accommodation. If a Company is unprepared to do any particular description of business, it should be so stated. It should not make the attempt until it is so prepared. We have been told, and we may be told again, that the conveyance of passengers in freight cars is a common practice on roads on this continent. We believe this statement to be correct, but we cannot accept it as an excuse or palliation of the practice. We look upon it as a bad and an inhuman practice, leading to greater abuse and still more cruel consequences, as we shall have occasion to show even more strongly in another case hereafter.

18. It appears, moreover, from the evidence, that these unfortunate emigrants were, in this instance, the victims of a double fatality. Had they been conveyed upon their journey in the usual manner and in due course according to the engagement and undertaking of the Company, they would, at the time of the accident, have been many miles from the scene of the catastrophe. It is shown in the evidence† that the car containing this party of Emigrants, destined for Windsor and the West, had, by the carelessness of a conductor—Matthews, by name—been "cut off" and separated from the train of the preceding day at Chatham, going West, and had been ordered back to London. In explanation we are told, that, on the arrival of this train at Chatham, an Irish Emigrant complained that he had been brought past his destination, which was London, and that the conductor, Matthews, without further enquiry, either into the character or nature of the contents of the car, or as to the destination of the other passengers, caused the car to be "cut off" or removed from his train, and ordered it to

* Evidence of Mr. Brydges.

† Evidence accompanying Report of December 5th.

be conveyed back to London by the first train proceeding East. The foreign emigrants, ignorant of the English language, unused to this mode of conveyance, and perhaps unaware of the change in their route, made no remonstrance, and thus instead of proceeding to their destination returned to the scene of the lamentable catastrophe. We find also, that although the car containing these emigrant passengers remained at the Chatham Station from the one day to the next, neither the Station Master nor the Porter, the two resident officials of the Company at the Station, made any enquiry into the case, and we are told that the Conductor, the Station Master and Porter were punished for their negligence. We are informed that the Conductor was suspended for ten days—that the Station Master was mulcted in a week's pay, and the Baggage-master or Porter dismissed. Whether the omission on the part of these officials arose from forgetfulness or indifference or, as has been suggested by an apprehension of the disease prevalent among emigrants during the past season, we consider these acts of negligence, leading as they did to the most fatal consequences, to have been derelictions of duty in all the parties concerned, for which, the punishment inflicted was incommensurate. We do not understand upon what principle of discrimination the Conductor was only "suspended for ten days" and the Porter "discharged." We conceive that the higher the station of the officer, the more aggravated is the offence in a case such as this. It appears to us that all the parties implicated in this transaction should have been dismissed at once, and that every publicity should have been given to the circumstances and to the promptitude of the punishment.

19. The subject of punishment for offences committed by Railroad officers, is one of great importance to the public at large. Railroad conveyance is rapidly superseding all other means of conveyance on many lines of communication, and the public safety is necessarily confided to a vast number of individuals, invested with an ill understood and ill defined degree of responsibility, and not always taken from the most intelligent classes of society. There is not a man employed by a Railroad company who may not, by one act of carelessness, endanger the safety of a whole train. A negligent conductor or a wilful engine-driver or a thoughtless switchman, (who, because he has the least to do on the road, does it, probably the worst,) holds the lives of hundreds in his hand. The captain of a steamboat divides his charge, if not his responsibility, with his watchers a-loft and a-head, with the man at the helm and his officers on deck, but the engine-driver is the sole arbiter of the fate of a whole train, while in motion. It is idle to say, as we have often heard it said in the course of this investigation, that the engine-driver has too much regard for his own safety to commit a rash act. All who are familiar with railroads, know to the contrary. What may be a rash act in the eyes of other men, is not always a rash act in the eyes of the engine-driver. He may be of a perverse and desperate nature, and habit may have deadened a sense of danger in him. In this particular case of running at and over cattle found upon the track, the practice is notorious; it is most dangerous, yet persisted in, in despite of all rule to the contrary. It may be repeated here as has been stated in our former Report, that accidents arising from this cause, rarely injure the locomotive or tender, the great weight of either, carrying them respectively over the obstacle. It is the passenger cars which suffer. If occasionally a reckless driver falls a victim to his own perversity and perhaps an attendant fireman, the deaths of these men are no reparation for the lives of hundreds, sacrificed at the same time, but it should be held in mind that in the event of his surviving, the engine-driver is almost always the only witness in his own case. The fireman is too much occupied, to observe what is going on, and in most cases it would be found difficult to prove the facts.

20. The punishments and penalties employed on a railroad should, as for the discipline of all other large bodies of men, be clearly defined and invariable. As the matter now stands, they are arbitrary, uncertain, partial and ineffective. The

man who is suspended for a fortnight or mulcted of a week's pay, may, if he is a favorite at head quarters, have all his arrears made good at the end of the month. The dismissed man is the only man who is really punished. There is, it must be admitted, a great and natural aversion to dismiss a valuable man for a first offence, which may, perhaps, even admit of palliation or excuse, but principle and the necessity of example demand a sacrifice, which will be made with less repugnance, when it is held in mind that, in this particular, the lives of thousands may depend upon the firmness and vigor of a system, and the known invariableness of a rule. We are convinced however, and we respectfully submit the opinion, that it is of the greatest importance, for the proper control of men employed on railroads, as well as for the future safety of the public, that the Legislature should prescribe rules and regulations for the government of railroads, and of the men employed thereon, any violation of which, should be made a misdemeanour punishable with fine or imprisonment, independent of instant dismissal from the service of the Company.

21. We close our observations on this unfortunate occurrence at Lobo, by remarking that, whatever may have been the proximate cause, the remote and original cause of this catastrophe, was the want of fences on the road of the Company, and we reserve for future consideration, in connection with the want of fencing, the narrow and insecure state of the embankment at the place where the disaster occurred.

Accident at Thorold, 16th July, 1854.

22. The case (No. 12,) to which our attention was next directed, occurred near Thorold, on the night of the 16th July, 1854. It appears that on the night in question, about midnight, the express train from Niagara Falls, proceeding west, came in contact with two or three horses, at a place about a mile east of the bridge over the Welland Canal at Thorold. The locomotive engine, tender and baggage car passed on safely. The first of two second class passenger cars was thrown partially off the track, two wheels of the forward truck being displaced. The track at this place, had not been ballasted, the sleepers or ties were consequently laid on the surface of the road bed. The two right wheels of the forward truck of the car jumped from tie to tie, the left wheels encountering no such impediment, swung round and brought the whole truck at right angles with, and across the track, stopping suddenly; the body of the car, hurled forward by the impetus of progression, was torn from the king bolts, and cast diagonally across the track in a cutting of no great height, but jamming from side to side. The second class passenger car next following, dashed into and through it, killing seven of the inmates, all Norwegian Emigrants, and wounding and otherwise injuring about fourteen. The locomotive, tender and baggage car broke away from the train, and proceeded forward, in the direction of the bridge.

23. This accident calls for notice in many particulars.

24. In the first place, the road, although fenced at the spot where the horses were struck, was devoid of fencing a little further on, and the cattle-guards were unfinished at the place where they are supposed to have come in on the track.*

25. Secondly. The road was not ballasted, and the track or ties were exposed in an insecure state so far as the ordinary running of the road was concerned, but under the circumstances of the accident, this fact, if rightly employed, might have greatly mitigated the effects of the disaster.

26. Thirdly. Although it is stated in the evidence appended to the schedule of accidents that "it being night of course prevented the engine driver from seeing the horses," and although the Managing Director, Mr. Brydges, from his state-

* Evidence of Mr. Brydges,—No. 2.

* Evidence of Mr. Brydges, No. 2; of W. W. Watkins, No. 14; of J. Galbraith, No. 15; of Levi Boomer, No. 16; of Dr. Mack, No. 17; of Charles Woodward, No. 18.

ment, evidently entertains the same impression, it is shewn by the testimony of all the witnesses that the night was clear moonlight.* The track was perfectly straight for a long distance, and the driver admitted that he saw the horses.

27. Fourthly. From the difficulty which ensued in arresting the progress of the train (if the attempt was made at the proper time) and the fact of one part of the train having separated from the other, we infer that the train was proceeding at an excessive rate of speed at a place where, by law and by the rules of the Company, the whole train should have slackened speed, to wit, on approaching a bridge over a canal and a station.†

28. Fifthly. It appears that on the occurrence of the accident, the tools which by the rules of the Company the Conductor is bound to have with him on the train, were in a very inefficient state, and that the tools usually supplied for the use of the Engine and Tender are by no means sufficient for an emergency. Matthews, before mentioned, was the Conductor also upon this train.

29. We cannot avoid the conclusion, from the facts, as they appear before us, that the engine driver, (Collinson,) saw the horses, and made a rush either to pass them by or run them down. That having struck them he either did not, or could not slacken the rate of speed at which he was going. We are inclined to the former opinion, for had he "braked up" on striking the horses, the immense drag of the displaced truck against the exposed sleepers or ties would have brought the train instantaneously to a stop, before the car broke away from the king-bolts and the lives of those within would most probably have been saved. Had he been running at the rate at which he ought to have approached the station and bridge, little injury could have resulted to any one.

30. It is our opinion therefore that the engine driver could and ought to have stopped his train on approaching the horses and have driven them off the track, or having struck them, he should instantly have shut off steam and have "braked up," and thereby have avoided the consequences which ensued. In our opinion, we hold him to have been culpable in either or both of those cases, and that in either or both of those cases, his culpability was aggravated, either by having maintained too high a rate of speed, or by having increased his rate of speed at a spot where, under any circumstances, that rate ought to have been lessened. Had he been proceeding at a proper rate of speed he could have stopped the train almost instantaneously after the collision took place and before the car became displaced, and crushed as before described. It is right, however, to add that our impressions in this case are of an inferential and circumstantial nature; that the occurrence having taken place at night, no witnesses, bystanders, as in the case at Lobo, could be found to substantiate these impressions, and that the Coroner's Jury had pronounced by their verdict that the horses were straying accidentally on the track, and had exonerated the Company from blame, merely adding a hope that the fencing would be speedily completed throughout the whole line.

31. We would add, however, in connection with this accident and the suggestions to which it gives rise, that, as in the State of New York the proprietors of steamboats are by law compelled to provide axes, fire buckets and life preservers, as a proper precaution against accident, so the Legislature should enjoin upon Railroad Companies in Canada a proper provision of axes, saws, hammers, screw-jacks and crowbars, to be borne on a convenient part of every train, independent of any or like implements which are now usually carried on the Locomotive or Tender. Had this extra supply of tools existed on the present occasion, as well as at the later accident of Baptiste Creek, much suffering would have been spared to those who, crushed and mangled beneath a mass of ruins, died, after hours of protracted agony, before they could be extricated. In connection also with this subject, we beg leave to call attention to a simple and cheap device invented by

† Vide Act 16 Vict. c. 169, sec. 6, Rule 19, p. 26.

Mr. W. Bowman, the Locomotive Superintendent of the Great Western Railway, to obviate the "slewing" of trucks when accidentally displaced from the track, the use of which, we believe, would greatly conduce to the public safety under circumstances similar to those above narrated.*

Occurrence at Thorold, 7th Dec., 1854.

32. In the instances under notice, we have not been favourably impressed with the temper or humane or discreet judgment displayed by the engine drivers of the Great Western Railway Company. In the course of our enquiry into the accident at Thorold we were informed of an occurrence which had taken place the preceding day (the 7th Dec.,) exhibiting on the part of another Engine Driver a cruel and most reprehensible indifference to human suffering. A little boy, named John Donally, had been struck by the cow-catcher of an engine, his leg broken and himself otherwise much hurt. The scene of this occurrence was the eastern approach to a heavy tressle work, erected temporarily by the Company, at a place called Twelve Mile Creek, within a short distance of St. Catherines. At each extremity of the tressle work is a short and sharp curve, which makes it necessary that trains should approach and proceed slowly, and with great caution. The Company had a body of men at work on the western extremity of the tressle work, and this boy—a child of about twelve years of age—was employed in conveying water to the party. He had left his father's house, at the eastern extremity of the tressle work, with his water bucket, at about 8, A. M. The morning was very cold and the flaps of his cap were tied over his ears. He did not hear the approaching train. He had reached the point where the embankment terminates and the tressle work begins, just at the commencement of the curve, where his only footing, in fact, was upon the track, when he was overtaken by the locomotive and thrown down the embankment. The engine must necessarily have been running slowly at the time and place. The engine driver ought to have been looking out a-head. *That is his first duty.* If performing this duty he must have seen the boy. If he did not see him he neglected his duty grossly. He neither stopped, which he could have done with ease, nor blew his whistle, nor, having struck the boy, did he pause to inquire into the mischief done, nor to inform the men employed at the other end of the tressle work, nor did he send assistance when he reached Thorold, but passed on with the utmost indifference. Either, therefore, he did not see the boy at a spot where a combination of circumstances should have exacted from him the greatest circumspection, or seeing him, he struck him inhumanly, and still more inhumanly left him to his fate; for had not a woman accidentally passed the spot where he lay, about three-quarters of an hour after, the child would have perished from cold. This case was represented by us forthwith to Mr. Brydges, the Managing Director of the Great Western Railway Company, and it is to be presumed has been properly dealt with. The driver should have been discharged at once, and prosecuted for the assault. It shows still more forcibly the necessity of close scrutiny and constant supervision of the men selected to fill the situation of engine driver.

33. In connection with the above occurrence, we think it right to call attention to the fact that the Locomotive Engines of the Great Western Railway Company are not provided with Bells. We have been told that it is not the custom on English Railways, and has, therefore, been discontinued here. On the Railroads on this Continent Bells are universally in use. The practice and the use are well understood by all persons travelling on Railroads or coming in contact with trains. At Stations and in Depot Grounds where much changing of Cars, and "shunting" of Engines, and the making up of Trains, take place, and where the men employed and the public become, from habit, careless of danger, the con-

* Vide Diagram and Plan No. 19.

tinuous peal of the Bell more readily attracts notice, and tends more to the protection of life and limb, than the sudden and intermitted scream of the whistle. It is moreover an additional means of precaution. By the Railway Clauses Consolidation Act the use of the Bell is enjoined on all Companies incorporated after the passing of that Act. The Act does not apply to the Great Western Railway Company. It should be made so to apply in all its material clauses.

34. We must also call attention to the fact and it may be as well to do so in this connection, that the Great Western Railway Company is not by law compelled to put up or maintain, at level crossings, the sign-boards, indicative of danger, universally in use on this Continent. The practice of leaving level crossings unprotected, *except* by a sign-board, is sufficiently dangerous. It is unknown in Europe. There gates and gate-keepers are required at all points where a Railroad crosses a highway on a level. In this country the great expense of maintaining gates and of a consequence, men to take charge of gates, and an unwillingness on the part of the Legislature to discourage Railway enterprises by the exaction of any avoidable expenditure, has in this, as in many other instances, proved to be mistaken policy both in the interest of Companies and of the public. On the Great Western Railway will be found a larger proportion of the best description of road-crossings,—those which pass over the Railroad on a Bridge,—than is usually met with on American Railroads; but the Great Western as well as all other Railroads should be compelled both to use Bells and to maintain sign-boards at all level crossings. We ought not to endanger the life of one single traveller on the Queen's Highway, of an inattentive man, of a deaf man, or of a child, by the omission of precautions so easily attainable. We think that in view of probable loss of life and injury to limb and property, and of the consequent pecuniary damages and of the disrepute resulting from accidents, it is the true interest both of Companies and the public that the former should be compelled to protect the public on all possible occasions, and in no case more emphatically than at road and street crossings, in towns, and at localities where increasing intercourse and travel indicate the necessity.

35. We now proceed to consider the case of accident No. 6, as stated in the Schedule, which happily and fortunately was unattended by fatal result. It is noticeable, however, as a proof of the danger of operating Railroads before the earthworks of the road bed or permanent way are complete, or at least so far advanced towards completion as to afford a reasonable guarantee for the public safety. In this instance "a large stone had fallen upon the track from the side of the cutting.*" An Engine and Train encountered the obstruction. Fortunately no lives were lost. From what we have seen of the present state of some of the cuttings, as well as of the actual condition of several of the embankments, we would refer more particularly and, as an example, to the embankment in Lobo, and from the information we have received of the state of like parts of the work at the time of opening the road, we are satisfied, that the Railway was opened for public use before either the cutting or the embankments were so far matured as to secure, to any reasonable extent, the safety of the public.† The Road was first opened from Hamilton to Niagara Falls on the 10th November, and from Hamilton to London on the 21st Dec., 1853. From London to Windsor it was opened to public use on the 27th January, 1854. All these occurrences took place in the winter season, when the vicissitudes of frost and sudden thaw, and heavy beating rain could not fail to affect alarmingly, the rugged and precipitous sides of incomplete cuttings and the newly formed slopes of embankments, detaching from the first, stones and stumps of trees and masses of earth and precipitating the same upon the track, on curves, or at night, and perhaps immediately before the arrival of a train; and in the second case, leading to the abrasion and subsidence of the embankments, to the displacement of the

*Vide Schedule of accidents, No. 6.

†Vide Report of Directors Great Western Railway, [Letter F.] Engineer's Report.

ties or sleepers, to throwing the track out of line and level, and thereby causing the most disastrous results.

36. We are well aware that the practice of operating Railroads in an unfinished and unsafe condition, in the above, and in other respects, has been common on this Continent, but we also know that many accidents, of the most frightful description, have resulted therefrom; the Great Western Railway has thus far escaped, as far as we could learn, any serious accident from these particular causes; but the risk incurred may be estimated from a statement made in evidence, that in the spring of 1854 "the mud was three feet deep in some of the cuttings,"* and the occurrences which have given rise to these remarks, sufficiently show the dangerous nature of a practice which should be checked, as in other cases, by the direct interference of the Legislature.

Accident at Baptiste Creek, 27th October, 1854.

37. We now approach the accident to which our attention has been specially called by the Commission, as "the late fearful collision on the Great Western Railway in Upper Canada, which resulted in the immediate death of upwards of fifty persons." This appalling calamity is the case No. 16 on the Schedule. It arose from a collision which took place between an express train and a gravel train at a place known as Baptiste Creek, in the Township of East Tilbury, and situated fifteen miles west of Chatham, in Western Canada. At Baptiste Creek, the Great Western Railway Company have a station consisting of a wood shed, water tank and sleeping quarters or a switch tender. The Railroad track, in this part of the country, passes for long distance through an inhospitable swamp. There is but one resident inhabitant within a mile—few beyond for many miles—and the locality is devoid of resource or means of succour. At a distance of, perhaps, a mile in a direct line across the swamp, but of five miles by the Railroad route of communication, upon the shore of Lake St. Clair, the Company owns a sand-bank or gravel-pit, which, at the time of the accident, was in process of excavation by Contractors in the employ of the Company for the purpose of ballasting the Road. It appears, that on the morning of the 27th day of October last past, at the hour of 5,10 A.M.,—the darkness of the morning, at that season of the year, being increased by an unusually dense fog,—the express train—many hours behind time—moving West, at a rate of about twenty-five miles an hour, came in contact with a gravel train about five hundred feet on the eastern side of the Bridge over Baptiste Creek. The darkness and the fog were so great, that the light upon the express train (although a large American lamp of the best description) and the smaller lights on the gravel train were not visible, respectively, until the collision took place. So brief, indeed, was the interval, that the express engine-driver was unable to blow the alarm-whistle; his engine dashed, with terrific force, into the foremost cars of the gravel train approaching or "backing up" from the opposite direction. The engine, tender, two second-class passenger cars, and part of a first-class passenger car were shattered to pieces and, with the mass of human contents, living, wounded and dying, were heaped upon the gravel cars, broken up and hurled together in frightful ruin and confusion. Forty-eight persons were either killed on the spot, or died before, or subsequent to, removal. Nine died in the hospital at Chatham, to which place the surviving victims were transported as speedily as possible, and of the wounded forty-six survived in various conditions of mutilation and injury.

38. In the attempt to trace the causes of this catastrophe to the proper source, we will first deal with the remote and original cause to which it is to be ascribed. The remote cause of the accident was, doubtless, the delay which occurred to the express train. Had this train kept its proper time, the gravel train, although on the track at an improper season, and therefore still, most culpably, would have been there with impunity.

* Evidence of Mr. William Bowman, No. 50.

39. The mail express train had left the Suspension Bridge, Niagara Falls, at its usual time at 2, P.M., on the 26th October, and by Time Table was due at Baptiste Creek at 10, P.M., of the same day. It did not reach the scene of the collision until 5,10, A.M., of the 27th October, and was, consequently, seven hours behind time.

40. It had, upon this occasion, been delayed, first, by a gravel train which had got off the track near St. George's. The effect of this detention had been, in the second place, to throw the mail express in the rear of a freight train, which retarded it still more; and lastly, after leaving London, about two-and-a-half miles, the engine broke down, and three hours and forty minutes were lost in despatching a messenger on foot for another engine, in bringing this engine to the scene of the detention, in drawing back the disabled locomotive and train to London, and in making the necessary arrangements for a new start. This delay of three hours and forty minutes was the most material delay on the trip. If it had not taken place, the express train would have passed Baptiste Creek at least three hours before the gravel train—ignorantly or otherwise—could have left the siding, or have taken possession of the main track. It became, therefore, desirable to ascertain what was the precise cause of the detention at London? It appeared that, suddenly, at the spot mentioned, without any previous indication of weakness or danger, one of the cylinder heads of the engine had burst out, rendering the machine useless. On subsequent examination, it was found, that one of four screws, which are counter-sunk into the external surface of the piston, had broken off where the square head unites to the thread. The square head of the screw becoming thus detached, had fallen into the interior space between the piston and the top of the cylinder. The size of this square head was one inch and a quarter, while the interval between the cylinder head and the piston, when driven home at each stroke of the engine, was only half-an-inch. It becomes evident, therefore, that the existence of a solid foreign body of a one inch and a quarter square in a contractile space of half an inch must have resulted, instantaneously, either in the destruction of the piston head or in the compression of the screw head, or in the bursting out of the cylinder head. The weakest of the three conflicting forces being the cylinder head, of course, gave way first. We have been thus minute, because, in addition to our desire to trace all the causes of this most afflictive accident to their true sources, we feel that the best way to avert misfortunes, hereafter, is to draw every possible advantage from present experience. No delay can occur on a Railroad which is not productive of greater delay. Few accidents which are not the precursors of other and worse accidents;—but, at the same time, there is no accident, the most remote cause of which is not, at once, worthy of enquiry and suggestive of remedy, and which may not thereby be made practically conducive to the safety of thousands on future occasions. We may not always be able to avoid accidents, but we can always profit by them. We may learn how to diminish the number and to mitigate the severity of the effects. In this particular instance we were much pleased by a simple expedient introduced by Mr. William Bowman, the locomotive superintendent of the Great Western Railway, and by him adapted, to all the locomotives on the line, by which, in the event of a screw head parting as before, it is retained in its place until the machine is, in due course, examined and the defect rectified.* We close, therefore, these observations by remarking, that although the delays of the express train were, doubtless, the remote cause of the catastrophe, they account for partially, but in no way excuse it. The notable irregularity of the trains on this line of road should have given rise to greater circumspection on the part of those interested with the charge of the gravel train.

41. We now approach the immediate cause of this accident, namely, the presence of a gravel train on the main track, before day-break, in a dense fog, and

*Vide Diagrams and Plans Nos. 13 and 19.

without any knowledge on the part of those to whom it was entrusted, whether "due" trains had or had not passed by. It is clear from the general tenor of the evidence that the person in control of this train, having on previous occasions caused the gravel train to run out at improper times, had become emboldened by impunity, and relied once more on the fatal presumption of safety, with aggravated risk. The name of this man was T. D. Twitchell, he was the conductor of the train. In all matters connected with the movements of the train, he was the sole arbiter, all subordinates were bound to obey him. Under the rules and regulations of the Company, or (in the absence of rules and regulations,) under the dictates of common sense and judgment, the whole responsibility devolved upon him. With him rests the blame. He ordered out the train, not only in violation of rules and regulations, but in defiance of every dictate of common prudence and sound judgment. It is difficult to understand how a man of the ordinary degree of intelligence selected for such an office could have committed so perverse and desperate an act, and we are bound to inquire what fault of system, what laxity of discipline or impotency of rule could have led to such fatal dereliction on the part of this man.

42. We have before adverted and we shall again have occasion to advert to the fact that the Great Western Railway had been prematurely opened. Among other material deficiencies arising from this cause, the road was not ballasted, that is to say, no sufficient quantity of gravel had been placed upon the road-bed to secure the position of the ties, adequate drainage, and the general solidity of the superstructure. To supply this deficiency, the Company had determined to ballast their road by contract, and at this time an agreement to that effect existed between the Company and one George F. Harris. We can hardly conceive a more dangerous practice, or one more pregnant with future disaster, than the attempt to work ballasting trains simultaneously with trains for ordinary traffic. In the best hands, and under the most careful management, this would be perilous; but the operation became doubly hazardous when placed in the hands of contractors. Under circumstances such as described, the interests of the Company and of the contractors must necessarily conflict. It is the interest of the contractor that he should be *on*, at the very time when it is the interest of the Company that he should be *off*, the track. To earn money, the contractor must do work: to work advantageously he must employ his men uninterruptedly. The opportunity and the temptation to disregard rules and risks are great—escapes often—the employées of the Company and of the contractor become alike indifferent to danger and precaution, and an appalling calamity is the result. Expedients may be, and doubtless are, devised to protect the Company and the public. Compensation may be provided for delays, but no such provision really can compensate for the profit of work, and it should be kept in mind that the very servants of the Company, appointed to superintend the safe performance of the contract, from an eagerness to see the road in good running condition, are inclined to connive at imprudences which indicate activity and progress. That a necessity for precaution existed is admitted by the terms of the contract between the Company and Mr. Harris, but the precaution taken proves practically to have been of little use. By the contract, the Company agree to furnish the contractor with engines and cars for the prosecution of the work. Further, it is provided, doubtless, for the proper care and charge of the property of the Company, and it is to be presumed, also, with a view to unity of action and due concert in all running operations of the road, that the Company should nominate and appoint the conductors, engine-driver, fireman and switchman in connection with the gravel train. Furthermore it is agreed that the contractor shall pay these servants and defray all the running expenses of the trains. Under this provision we deem it to be of little importance who nominated the conductor, the engine-driver, the

fireman or the switchman. These men, under remote and imperfect supervision far from the sight of the higher officers of the Company, were practically appointed, retained and controlled by their paymaster. There was manifestly, as the language and conduct of Twitchell, the Conductor, shows, greater risk of punishment in disobliging the contractor than in disobeying the Company. There is moreover proof that the higher officers of the Company did not exercise their supervision or their authority with becoming vigour. We find that when Kettlewell, the engine-driver of the gravel train, with a degree of moral courage equally rare and commendable in a man of his class, informed Mr. Gregory, the Resident Engineer of the Western Division of the Great Western Railway, that on the 13th October, Twitchell had run his train dangerously close upon express-train time—this startling piece of intelligence only led to an admonition. Twitchell should have been dismissed on the spot in the most public and exemplary way. Had Twitchell been so dismissed at the time, his successor would never have ventured out of the gravel pit before day-light and in a fog, and without knowing positively that both express trains had passed. Kettlewell was told by Mr. Gregory, that Twitchell was responsible for like risks, and relying on this responsibility, ran out twice on the time of other trains between the 13th and the fatal 27th October. It certainly was not for him, under the very peculiar circumstances of the case, to question the order of his superior, who might have received instructions or have been acquainted with facts of which he was ignorant. He did but obey orders, and in obeying orders, followed the instructions of one who, ostensibly the servant of the Company, was practically the instrument of the contractor. By the articles of contract, the Company were also empowered to nominate and appoint the switchman, whose duty it was to attend the switch connecting the gravelling track with the main track. Had this employée been appointed by the Company, and properly instructed both to attend the switch and watch for trains with the key of the switch in his possession, this accident never could have occurred. He would have been an effectual check on the conductor himself, who, whatever his inclination, could not have passed his train through the switch, while secured under lock. We discard entirely the idea that the man employed to clean the engine was also bound to watch the approaching or passing trains. His duty was to clean or, as it is often called, “to watch” the engine, but this duty in no way, necessarily involved attention to passing trains. He might or might not have mentioned the fact; but he was in no way liable for the omission. The Company ought to have had, as was evidently contemplated, a regular switchman and watcher at the spot properly instructed, with the key of the switch in his keeping. It appears moreover, as if in the eagerness for doing work, the contractor and his subordinates, whether the servants of the Company or his own, had lost sight of the advance of the season,—that a train running out at 5 o’clock, A. M., in August, ran out by day light, but that a train run out at the same hour in October, worked in the dark. Apart from the question of risk, there should have been in this case, two switchmen and watchers, one for day service and one for night. But it is shown that in fact, there was no regular switchman at all. We are told that such a person had been employed but that he had “left” and that he ought to have been replaced, but had not been, by the conductor or by the contractor, the latter of whom, certainly had no interest in increasing the wages or any other working expenses of the gravel pit. Consequently anybody attended to the switch, the last person who performed that office previous to the collision having been a common labourer on the train, a coloured man, who lost his leg by the accident.

43. On considering all the circumstance of this most disastrous occurrence, we feel that it is much to be deplored that the Great Western Railway Company should, as a condition and consequence of the premature opening of the road,

have been induced to intrust the ballasting of the same to contractors. If by the force of circumstances they were compelled to open the road before ballasting, they should have taken the ballasting into their own hands. In this respect they should have followed the advice of their Assistant Chief Engineer, William Scott, Esquire, as conveyed to C. J. Brydges, Esquire, the Managing Director of the Company, in a letter bearing date 18th November, 1853. But the contract made and the manner in which it was observed, disregarded equally the public safety and the interests of the Company. Had a proper conductor been appointed by the Company at first, or had the man appointed been dismissed on the commission of his first serious offence; had he and all others been taught to know their dependence on the Company, no violation of the rules of the Company would have taken place. It is to be regretted that these rules had not specially prohibited the running out of gravel trains after dark, or before daylight, or in a fog. The necessity for such provision appears to have been overlooked. And it is also unfortunate that a proper switchman had not been regularly maintained by the Company and furnished with instructions, within the scope of which he would have been independent of the conductor, however perverse or however influential. Proper attention to any one of these particulars would have prevented the appalling catastrophe of the 27th October.

44. Having to the extent of our humble ability thus far examined into and reported upon a series of eighteen accidents which have occurred on the line of the Great Western Railway, we shall now proceed to another branch of enquiry intrusted to us, namely to investigate the "detentions on the said line of Railway which may have been attended by personal injury or loss of life."

Case of Detention at Baptiste Creek, July 2, 1854.

45. Detentions do not always lead directly to loss of life or personal injury. Indirectly they may be, and often are, the remote causes of great misfortunes. One case presents itself upon this road which demands attention. If it does not exhibit all the shocking features of a collision or of a plunge down the side of an embankment, it possesses peculiar horrors of its own. We refer to a detention or a combination of detentions which occurred on or about the second day of July last past, during the prevalence of the cholera in this Province, and which partly led to, and was partly attended by great loss of life and the further spread of that terrible visitation.

46. On the afternoon of Tuesday the second of July, the inhabitants of the Village of Windsor, in the County of Essex, in Upper Canada, were informed that a train of the Great Western Railway had arrived, bringing with it a large number of emigrants, some of whom were then dead, others dying, and others ill of cholera. One case of the epidemic had presented itself in the Village on the preceding day, and much anxiety existed on the subject. But the inhabitants of Windsor behaved with great humanity and spirit. The medical gentleman of the place, the municipal authorities, and many volunteers, both ladies and gentlemen, repaired, without hesitation, to the relief of the sufferers.* They proved,

*No. 2.—Evidence of C. J. Brydges.

21.— " taken at Inquest.

23.—Deposition of L. L. McDonell.

25.— " Alex. Gordon.

27.— " J. W. Blackadder.

29.— " Chas. Baby.

31.— " James Fisher.

33.—Report of accident near Rochester, 1st July, 1854, with note. W. Bowman.

No. 20.—Deposition of Alex. Bartlett.

22.—Inquest and finding of Jury at Windsor.

24.—Deposition of A. N. Dawson, M. D.

26.— " Isaac Askew.

28.— " Daniel Allan.

30.— " David Chapman.

32.— " W. V. Andrews.

Also—

No. 3.—Deposition of John Hogan.

8.— " John Smith.

No. 7.—Deposition of Chas. Gallagher.

by a remarkable fatality, to be again Norwegian emigrants. One man was dead when the cars arrived, others were in a dying state, many were laboring under various stages of the disease. Three women in an advanced state of pregnancy were delivered—one prematurely in the cars, the other two in the course of the night and the following day. In the midst of a scene too shocking for description, beyond the records of evidence, the inhabitants in concert with the resident officials of the Company laboured most nobly. Means were immediately taken to provide an hospital and hospital assistance and comforts—the dead were buried, the sick removed and cared for. Twenty-eight of these emigrants died, and others who reached Windsor subsequently augmented the number of deaths from this disease to fifty. It was remarked that a large number of these passengers had been conveyed to Windsor in freight cars, temporarily fitted for their reception, and it was reported that the mortality had been aggravated by unnecessary delays and mismanagement on the part of the Company's servants; that in fact a large number of these emigrants had been detained for many hours, improvidently, in the heat of the month of July, at a place of disastrous reputation—the station at Baptiste Creek—without food or the means of obtaining food, and without water to drink, excepting such as was to be obtained from the neighboring swamp. These statements led us to make further enquiries, of which the following is the result. It appears that a large number of Norwegian emigrants had reached Hamilton on Friday, the 30th of June, and had taken passage to Detroit in the cars of the Great Western Railway. The number is variously and not very clearly stated. They were placed in two second class passenger cars, and in, at least, three freight cars, and on the Saturday morning were forwarded to their destination. It unfortunately occurred that an embankment at the crossing of the Desjardins Canal had subsided, the track had consequently been thrown out of line at this point, and it had been necessary to arrest the trains at either side of the impediment and exchange passengers and baggage. These emigrants, after passing this obstacle, were transported on to Paris, whence a part of them only, those contained in the second class passenger cars, were sent forward by the day express train. This train reached Rochester, about 19 miles from Windsor, at 9, P. M. It there found a gravelling engine, off the track, at the switch, an accident ascribed to expansion of the rails from the heat of the weather. This occurrence of course precluded all passage on the road until the obstacle could be removed—very often, and it so happened in this case, a tedious operation. At this point, and at either side of the obstruction, the night express proceeding east from Windsor met the day express proceeding west, and the two conductors agreed to exchange passengers and return, or “back up” each to Windsor and Chatham respectively. The exchange of the first class passengers was made, but the second class passengers, including the emigrants in question were not, in like manner transferred, in consequence of the night express or train from Windsor not having any second class passenger cars attached to receive them. The conductor or Mr. D. Chapman, the Local Superintendent of the Company, who was present, directed the train to be backed to Baptiste Creek, a distance of 11½ miles, with the intention of taking the whole train back to Chatham; but finding that, from the delay, both wood and water were failing, resolved to leave part of his train, to wit, the emigrant cars, on the siding at Baptiste Creek, and thus lightened to proceed to Chatham, leaving orders that the cars containing the emigrants should be conveyed on to Windsor by the next train, due at Baptiste Creek about 5, A. M., next morning. It was then near midnight. The night express going west, which ought to have reached Baptiste Creek at 5, A. M., the next morning, did not arrive at that spot until 2.30, P. M. Had this Train reached Baptiste Creek at its proper time, all would have been

done that could have been done under the circumstances to remedy the evil of the detention, and to forward the emigrants thus left to their destination at Windsor; but the night express moving west could not leave Hamilton until the night express moving east had approached the Desjardins Canal, and the obstruction at that point, while the night express moving east was in reality detained at Rochester, and by the stoppage at Baptiste Creek. Thus one delay entailed a series of delays, and the irregularity of the night express train going West was the proximate cause of much of the suffering endured, and, with a certain allowance for predisposition to disease, of the consequences which ensued.

47. The night express train going West, having taken on the car left as above stated, reached Windsor about 4, P. M. (on Sunday.) It had also brought on from Paris the remainder of the party of emigrants left there the preceding day. The cholera had already declared itself among them. Two sick emigrants had been removed from the train at London, but the situation of the latter party was perhaps better than that of the remainder. They had remained at stations where food and wholesome water could be obtained, and they were with their baggage and the resources thereby afforded them. But the party on the siding at Baptiste Creek were separated from their baggage, had been on the track since the preceding morning, and had been confined to the cars, in intensely hot weather, at a desolate place, where little, indeed for the supply of such a party, no food could be procured, and where the only water to quench thirst was the stagnant water of the swamp. Nevertheless for thirty hours at least all these people had been immured in the atmosphere of second class passenger and freight cars, the only difference of suffering, in reality, being a difference of degree. As the whole party both from Paris and Baptiste Creek reached Windsor together, it has been difficult to distinguish between them at this point, or to ascertain satisfactorily to which section of the party the victims belonged, but it matters little. It is shown in evidence that one individual died at Paris—that two as before stated were removed from the cars at London. That a child died and was buried at Baptiste Creek, that two men laid under the wood shed at Baptiste Creek the whole Sunday, supposed to be dying. That a woman on the departure of the cars from that place was lifted into them in a state of great exhaustion. That one man was dead in the car on their arrival at Windsor, and it cannot be doubted but that individuals of both sections succumbed to a disease to which they were predisposed from the effects of a long voyage, but which must have been aggravated by the exposure and privation they had encountered on the latter part of their journey.

48. We have found it difficult at this distance of time, in view of the confusion and dismay which then existed, of the death of some and the departure of other witnesses, and of the impossibility of obtaining direct evidence or explanations derived at the time from people who only spoke the Norwegian language—to arrive at any safe conclusion upon this distressing occurrence; but, as far as we can see, the detention at Baptiste Creek and its fatal effects are to be ascribed to a combination of circumstances over which the servants of the Company could exercise no control. We believe that under these circumstances, as they occurred, all was done that could be done to alleviate the effects of the delay, but we cannot avoid noticing in this instance, as in others, the indifference generally shown to the comfort of emigrants, both in their treatment and accommodation, which calls loudly for Legislative interference and remedy. We have before animadverted on the conveyance of emigrants or second class passengers in freight cars, and have shown the fatal consequences on the occasion of the Lobo accident. In the present case the want of ventilation from the peculiar structure of the freight or, as it is sometimes called the "box," cars, speedily converted these receptacles into moving pest houses. In the course of our investigation

into the catastrophe at Baptiste Creek on the 27th October, our attention was again drawn to the want of proper accommodation in the second class cars, the want of lights which increased the horror and difficulty of the scene, and the neglect with which travellers of this class have been treated. On examining the second class car we found the seats in many to be very slightly and insecurely fastened. The effect of their insufficient fastening in the event of an accident was exemplified at Lobo. There the second class passenger car being thrown partially down the embankment, the whole contents of the car, human beings and wreck of the seats were "shot" together to the lower end of the car. The injuries inflicted in this car was caused chiefly by splinters and broken ends of the detached seats. Had the seats been properly fastened, the passengers would, to a great extent, have retained their places and the injury done would have been much lessened. Accidents may, in some cases, be unavoidable notwithstanding every exertion of foresight, but no precaution should be omitted which may tend to mitigate the effects. The Legislature should provide forthwith for the proper transportation of all second class passengers in safely constructed, well ventilated, adequately provided cars, always accompanied by, but never conveyed with, their baggage. Emigrants, foreigners more especially, are accustomed to carry their food with them, and often, having expended their last shilling in payment of fare, are exposed to great privations if separated from their baggage.

49. Our attention was called by the Reeve of Windsor to the expenses imposed upon that Municipality in providing for the medical charge and the burial of a large number of the passengers of the Great Western Railway Company, thrown suddenly upon the resources and the humanity of the Municipality. We look upon this case, as it arose, and as it now stands, as a question of law between the Corporations, but we would respectfully submit to Her Majesty's Government, whether, in view of the not improbable recurrence of such cases, on a line of road likely to be much frequented by emigrants *in transitu*, it would not be expedient and right to appoint an Agent of Her Majesty's Emigration Department, during the summer season, to supervise the whole line, and to make such provision as could, on a sudden emergency, be made available for the reception and treatment of emigrants, suddenly seized with contagious disease. The expense might be equitably divided between the Government, the Railroad Company and any Municipality within the limits of which any such case should arise, local sympathies and local resources would neither be overtaxed nor overtried, and the interests of humanity would be judiciously protected without exacting unfair self-sacrifice from individuals.

50. In closing our remarks upon the above occurrences, it becomes our duty, in accordance with the commands of His Excellency the Governor General, to express our opinion on the "origin" of the accidents and the detention hereinbefore referred to.

51. Accidents, as we have before stated, may and will occur upon a Railroad, which defy explanation and baffle research. No human foresight could anticipate or precaution avert them. Other accidents originate in causes more or less remote,—in defective arrangements and imperfect control, in a want of proper organization and discipline in the servants of the Company, or they may be traced to incomplete construction; to insufficient, overwrought, and unsafe machinery; or to any one of the unexpected casualties originating in a single act of inexperience or imprudence. It is from accidents such as these that the public, at the outset of a great railroad system, require to be protected. It would be criminal to temporize with such a subject as this. The lives of thousands may depend on plain speaking and prompt action.

52. Three of the most fatal accidents which have happened on the Great Western Railway, namely, the accident of the 12th Dec., 1853, near Hamilton, the

accident at Thorold, and the accident at Lobo, arose from the absence of fencing and the presence of cattle on the track in consequence, and are all incidental to the premature opening of the road.* The accident at Baptiste Creek, (27th Oct., 1854,) is to be ascribed to a combination of causes, but may be ultimately traced to the same cause, the premature opening of the road, and to the necessity, therefrom arising, of pressing on the ballasting in unsafe hands and in an incautious way. We find that at the opening of the road, the embankments and the cuttings were in a dangerous state, that the ties or sleepers were laid without the stay or support of gravel on the surface; at Subgrade; the road-crossings and farm crossings and cattle guards were unfinished. The tressle-works in some cases substituted for embankments, were notoriously insecure, and in fact, neither grading nor superstruction were in a fit state to hazard the prosecution of traffic in the face of the contingencies of the coming winter and spring in this climate and country.

53. We find that on the 17th Oct., 1853, John T. Clark, Esquire, the Chief Engineer of the Great Western Railway, and now State Engineer and Surveyor-General of the State of New York, in a communication addressed to C. J. Brydges, Esquire, the Managing Director of the Great Western Railway, protested formally against the contemplated opening of the road, as a "premature movement, and which, if carried out, would be attended with hazard to life and property."† And yet, in defiance of this protest, the road was opened. We are well aware that roads have been opened and operated on this continent, in an unfinished and unsafe condition, but we have never heard of any road which had been opened and operated in defiance of the protest of the Chief Engineer, and that Engineer a gentleman of the character and professional standing of Mr. Clarke.

54. It is true that in his protest, Mr. Clarke makes no specific mention of the want of fencing, as a cause of danger. We know not whether the omission was intentional or unintentional, or whether among other grave grounds of objection, this one may not have been deemed secondary at the moment, but it is a want which should never be permitted to continue;—the omission does not, in our estimation, diminish the weight of the objection. As a feature in the premature opening of a road, it is pregnant with danger, and productive of feelings which lead to dangerous practices. It places the Company at the mercy of its own servants. A wilful or desperate engine driver destroys cattle on the track, and the Company is justly blamed, because, directly or indirectly, it is blameable. An enterprize which exists by popular favor and support, becomes an object of popular hostility, along the whole line. Every farmer who loses cattle and has his claim for compensation questioned or resisted, becomes at once an enemy of the enterprize, and a rail taken up, or a sleeper removed, or an obstruction placed on the track, bears dangerous testimony to the character of this hostility. Such conduct is indefensible, but in the interest of the Company and of the public it should never be provoked. No road, prudently managed, would incur such a risk. No Company should be permitted to do so.

55. That the want of fencing increased still more the insecurity of the line, "the hazard to life and property" thereupon, cannot be doubted. That the want of ballasting led finally to a most lamentable catastrophe, is equally certain; but it is difficult to say how much of subsequent misfortune may not be attributed to the want of ballasting, and consequent roughness of the road at the outset. When we consider the delicate structure and immense weight of the machinery on a

* *Vide* Report of Director, 29th September, 1854: letter E. Evidence of C. J. Brydges, No. 2; Evidence of William Scott, No. 4; Evidence of William Bowman, No. 50.

† *Vide* Letter from John T. Clarke to C. J. Brydges 18th October, 1853, No. 44. Letter from C. J. Brydges to John T. Clarke, 18th October, 1854, No. 45. Letter from John T. Clarke to C. J. Brydges, 18th October, 1854, No. 46. Letter from John T. Clarke, to President and Director of the Great Western Railway, 21st Nov. 1854, No. 47. Extract of proceedings of the Board of Directors of the Great Western Railway Company, 7th Dec. 1854.

railroad, the nice adjustment and brittle strength of the parts, it is easy to understand that one single trip on a rugged track, would not only damage springs and dislocate joints at the time, but prove, in fact, the latent cause of a long series of delays and stoppages and irregularities, and an attendant train of disappointment, dissatisfaction and danger. The danger, and the amount of damage conducive to danger, was forcibly shown in the Report of the Directors of the Great Western Railway, of the 20th Sept., 1854, wherein Mr. Bowman, the Mechanical Engineer, states that the cost of maintaining and repairing engines and cars have been heavy, that they had, on an average, six first-class passenger cars out of thirty, under repairs, daily, and he ascribes the casualties to "the unevenness of the track, on the frost breaking up," or in other words, to the want of ballasting and drainage, and to "accidents arising from cattle being on the track." That much disappointment and dissatisfaction have been felt on the line, and by parties in connection with the line, is undeniable. That some share of these feelings may be ascribed to undue and over-exacting expectations is doubtlessly true, but much is also to be attributed to disorder incidental to the premature opening of the road and to a system of management unusual on this continent, and ill adapted to the circumstances and magnitude of this enterprise.

56. From information derived from C. J. Brydges, Esq., the Managing Director of the Great Western Railway Company, it appears that the system of management in force in the Great Western Railway Company is unknown to those familiar with the administration of Railroads in America. The whole machinery of a complicated enterprize is not only superintended or directed, but is actually and practically worked out, or attempted to be worked out, by one man. The Managing Director is not only the head but the hand to which every important duty is confided. That officer, whose natural talents, industry and zeal are universally admitted, has assumed or has had imposed upon him more duties than any one man can possibly accomplish.

57. Under the American system of Railroad management, the chief officers of the Road are the President and Superintendent. To the former, in concert with the Board, is practically confided the administrative functions of the Corporation. The latter is the executive officer upon whom devolves all details of execution and management. The duties and the qualifications of the two officers are so far dissimilar, that the man fitted to make a good President might prove to be a very indifferent Superintendent, or *vice versa*, but it is hardly within the competency of man to act at the same time as President and Superintendent. On a Road such as the Great Western—the connecting link between two great systems of American Railroad communication—the services of an experienced Superintendent are as indispensable as they would prove to be invaluable. Such men it is not easy to find, but they are to be found, and should be sought for, without reference to country or extraction. What a Company wants, what the interests of the community require, is the best man who can be obtained. To organise a system on a new Road he must bring to bear much experience—good knowledge of business—great knowledge of men—and the power and habit of command; and to reduce to order the heterogenous mass with which he has to deal, he must devote himself unintermittingly to the task. No President or Managing Director, supposing these offices to be analogous, could, if properly occupied, give time and attention to these duties. It is questionable if he would succeed, even if he tried. No man becomes a Superintendent by intuition. To use the illustration employed by Orville B. Dibble, Esq., of Detroit, in discriminating between the qualifications of a Railroad President and Superintendent, we would say that the man most competent to organize a packet service, "might be quite unable to command one of his own ships."* Too much has, in fact, in the case before us,

* Vide statement of O. B. Dibble, Esquire, of Detroit, No. 42. Evidence of C. J. Bridges, Esquire, No. 2; and Letters H. J. K. L.

been assumed without sufficient practice in much that has been assumed; multiplied occupation has prevented proper attention to details; laxity of discipline has prevailed in consequence, disorder and irregularity have ensued, and temporary discredit is the result.

58. The people of Canada have a large interest in the success of the Great Western Railway. Six hundred thousand pounds of the Provincial Funds are, at this present moment of time, invested in this enterprize. The value of the security must ever be influenced by the character of the management. The credit of the enterprize will deeply affect the credit of all like Canadian enterprizes. We conceive it, therefore, to be our duty in discharge of the trust confided to us, to call the attention of Her Majesty's Government to the subject, and respectfully to suggest remedies, while remedy is still within reach.

59. In corroboration of the views hereinbefore expressed, and in fact as having suggested many of the above remarks, we beg leave to call attention to an instructive statement received from Orville B. Dibble, Esq., of Detroit, and confirmed by the opinions of B. C. Whittemore, Esq., State Treasurer of the State of Michigan, J. H. Harmon, Esq., Collector of the Customs of the Port of Detroit, C. C. Trowbridge, Esq., President of the Michigan State Bank, O. M. Hyde, Mayor of Detroit, and M. A. Cook, Recorder of Detroit. This document will be found in the Appendix.* At the same time, and in the same relation and to avoid the necessity of extending still more this already protracted Report, we refer to the statement of the Hon. Malcolm Cameron and of William F. Coffin, Esq., with reference to an occurrence which took place on the Great Western Railway on the night of the 10th November last past; which will further illustrate the preceding observations.

60. It is, we may be permitted to presume, the wish and the intention of the Government of the Province to supply the omissions of the past and to provide for the future by Legislative enactment, and in this view we approach the conclusion of our subject.

61. We conceive that the time has at length arrived when it is both necessary and expedient to provide, by adequate legislation, for the public safety on Railroads in this Province. We consider that by wholesome legislation the interests of the public and of Railroad Companies will be equally consulted. That by the provisions of such a law the public and the Companies will be protected from the influence of public opinion demanding and obtaining indiscreet concessions from Public Corporations. The public and the Companies will, in fact, be protected from themselves. We would respectfully suggest that the provisions of the Act 14 and 15 Vic., cap. 51, being an Act to consolidate and regulate the general clauses relating to Railways, and the Act 16 Vic., cap. 169, being "An Act in addition to the General Railway Clauses Consolidation Act," be extended to apply to all Railroads in the Province of Canada, and that the following additions be made to the same:—

62. A Railroad Inspector or Surveyor to be appointed in connection with the Board of Railway Commissioners, the same to be a professional Civil Engineer of _____ years standing.

63. This officer periodically and at uncertain periods to visit and inspect all existing Railroads in Canada and report on the condition of every such road and the sufficiency of equipment in the interest of public safety and convenience.

64. On Report of Railroad Inspector transmitted through Board, the Governor to be empowered to order such Companies to complete road, or supply defects in the same, or to do anything authorized to be done under this Act within a given period; under a penalty for the omission of any day beyond that period.

65. Six months at least before the opening of any new road, the officers and Engineers of the Company should invite the attendance of Railroad Inspector, and in

* Vide Evidence, No. 38, 39, 40, 41, and Letter O. Also, Evidence and Explanation of C. J. Bridges, Esquire, No. 2.

concert with him agree upon the character of the line and the quantity and quality of rolling stock required at the opening of the same. Inspector to report this agreement with reason for particulars therein contained to the Board of Railway Commissioners, at the same time and in the same manner, the Engineer and other officers of the Company to concert and agree with the Railway Inspector, as to the way in which every public road crossing on the line shall be constructed—whether over the road on a bridge or under the road by a tunnel—or, if on a level, whether to be protected by gates or by men bearing flags, or by road signs.

66. Railway Inspector to prescribe, likewise, at which (if any) curves, in cuttings more especially, flagmen shall be regularly and invariably stationed, provided with flags by day and lamps for night use.

67. Inspector to visit works in progress, at irregular and unexpected times, to see the same are carried out in the manner provided. If not to report the same to the Directors of the Company, and transmit copy of Report to Railway Commissioners.

68. No road to be opened before it is thoroughly fenced.

69. No road to be opened until ballasted to such extent and at such localities, as may appear to the Railroad Inspector to be necessary to secure the public safety.

70. One month before the opening of every new road, at least, on notice given, the Inspector to visit the works on the line, to report thereupon, and certify that the fencing is complete according to law, that the ballasting is sufficient, that the superstructure is in all respects secure, and that the said works are in such condition and in such a state of progress as to be safe for public use at the time of the proposed opening of the road and thenceforward. Copy of said Report and certificate to be forwarded to the Board of Railway Commissioners.

71. No Railroad to operate without such certificate under a penalty for every day of such illegal operation, and no passenger to be liable for fare.

72. Inspector to prepare a uniform code of rules for the government of all the subordinates of all Railroads in running said roads in this Province, such code to be submitted through the Board of Railway Commissioners to the Governor General, and on receiving his approval, notified through the Official Gazette, to have the force of law.

73. Any violation of such rules to be punished with discharge from the service of the Company, and further to be declared a misdemeanour punishable on summary conviction, before one magistrate, by fine or imprisonment, fine not to exceed at discretion, or in default of fine, imprisonment not to exceed one month.

74. Any Company taking back any such discharged or convicted servant into its employ, in the same or any other capacity, to pay a fine of for every day the said servant may be so employed.

75. Railroad Inspector to embody in his aforesaid certificate that the rolling stock of the Company is conformable to agreement and sufficient for present purpose consistently with the comfort, convenience and safety of the public.

76. Passengers other than first class passengers to be conveyed in properly and strongly constructed cars, covered, provided with glass windows and lamps and stoves at proper seasons. The cars to be of specified dimensions, containing a certain number of seats properly and firmly secured. A certain number to be accommodated on each seat, adults and children. Second class passengers paying not more than per mile for conveyance to be entitled to carry lbs. luggage each. Luggage to be conveyed on the same train with the passengers, but in separate cars.

77. Railway Inspector to visit all roads hereafter at irregular and uncertain periods and to report in duplicate to the Board of Railway Commissioners and to the Board of Directors all deficiencies or defects that may exist in superstructure

or rolling stock, however required or from whatever cause arising, coupled with a recommendation that the same should be supplied immediately or within a reasonable time, and assigning reasons for such recommendations.

78. Should such recommendations not be complied with, the Railroad Inspector further to report to the Board of Railway Companies to that effect, who, with the approval of the Governor, may order the said road to make good such deficiencies within a given time, or in default thereof to desist from running.

79. Any road operating after the service of such order on the proper officer of the Board of Directors, and after the expiry of the period therein mentioned, to be liable to a penalty of _____ per diem for each and every day of infraction of order.

80. Railway Inspector to cause all infractions of this Act coming within his cognizance to be prosecuted, and, to this effect, to have the advice and assistance of all Law Officers of the Crown.

81. All accidents on Railroads, attended by injury to persons or damage to property, to be reported within _____ hours of the occurrence to the Railroad Inspector, by Telegraph if possible, under penalty for each omission.

82. On receiving such intelligence, Railroad Inspector to repair to the scene of the accident, enquire into and report upon the facts to the Board of Railway Commissioners, and upon any legal proceedings which may ensue.

83. All accidents requiring legal remedy which may affect poor persons, or emigrants, or the safety of the public generally, upon being reported to the Board of Railway Commissioners, to be by them referred to the Officer of the Crown for proper action thereon.

84. In all cases for or against a Railway Company which may involve trial by Jury (except in the case of a Coroner's Jury) the proper tribunal may, upon suggestion and proper proof by affidavit, made by either party that a fair and impartial trial cannot be had within the usual jurisdiction, cause the trial of the said case to be transferred to such other jurisdiction as to the said tribunal may seem best.

85. All persons trespassing or walking on the track of the road liable to a fine not exceeding _____ or imprisonment not exceeding one month, at the discretion of one Magistrate.

86. Servants of the Company to be authorized to arrest any person violating the provisions of the said clause last above written and to detain and convey such person before the nearest Magistrate.

87. Section men or man having charge of sections to be compelled by law to proceed from one end of the section to the other the first thing in the morning, examining carefully the fencing and track, and repairing or reporting instantly all defects; and to retrace their steps in the course of the day. Disobedience or neglect punishable by fine.

88. Policemen to be furnished every Company as required, from any Police force to be hereafter established in this Province, the Company paying such price as may be agreed upon for the daily and nightly service of each man, clothed and accoutred.

89. The expense of Police and all expense connected with the Office of Railroad Inspector to be defrayed by a milage rate to be imposed on all Railways.

90. As a compensation for such rate or tax all Railroads should be exempted from school taxes or local taxation.

91. Speed of trains to be regulated. Punctuality of departure to be exacted under penalty.

92. Railways realizing a certain average amount of gross earnings should be compelled to construct a double track on the whole, or such part of the road, as may be agreed upon between the Managers of the Company and the Inspector of Railroads.

93. The use of bells as well as steam whistles on locomotive engines should be required of every Railroad Company.

94. Any person having the control of an engine, who may run upon the time of another train, to be made liable, in case no injury should ensue, to a fine of and imprisonment until paid, in case of death to be guilty of manslaughter and punishable accordingly.

95. All proposed Acts of Railroad Incorporation and all proposed Amendments to existing Acts to be submitted to the Railroad Inspector three months before the Session of Parliament in which it is intended to introduce such measure or measures, who shall report thereon to the Railroad Committees of the Legislature, whether all preliminary conditions have been fulfilled, whether the powers and privileges and rights asked for do or do not interfere with the powers, privileges and rights granted to other parties, and whether those powers and privileges and rights can be exercised under each Act in a manner calculated to secure the public credit and safety.

96. Bell on Engine to be rung invariably before starting a train; to be rung without intermission while in slow motion, and always for 80 rods before passing open road crossing on a level.

97. Disobedience of orders on the part of any servants of the Company to be a misdemeanor punishable, independent of discharge from the service of the Company, by fine and imprisonment upon summary conviction before a magistrate.

98. Intoxication on the part of any servants of the Company to be a misdemeanor punishable by fine or imprisonment upon summary conviction before a magistrate, independent of dismissal from the service of the Company.

99. In making the preceding suggestions we do not pretend to offer more than an outline of the provisions which we conceive ought to be embraced in any Bill which it may be deemed expedient to submit to Parliament for the further regulation and more safe conduct of Railroads in this Province. The details of such a measure would require to be worked out with care and consideration, and at a greater length than we should feel justified in employing at the close of this protracted Report. Our present object is rather to show the necessity which exists for adopting here, in connection with Railroads, the same principles of legislation which have been invoked with great practical benefit in England and in the United States, believing that in the final elaboration of such a measure much that we have suggested may be advantageously modified and many additions made which have escaped our notice.

All which is respectfully submitted by,

Sir,

Your most obedient servants,

WILLIAM F. COFFIN,
M. C. CAMERON.

... 30 or 35 minutes more delay ; passed them, and the next train at Princetown ; road clear to London, still behind time ; telegraphed to conductor going east ; that witness would keep out of his way to Wardsville ; left London at 9.30 p.m. ; ran some 3½ miles, when my engine broke ;

SCHEDULE OF ACCIDENTS ON THE GREAT WESTERN RAILWAY FROM OPENING OF THE ROAD TO 1ST NOVEMBER, 1854.

| No. | Date. | T R A I N . | | | | | | Place of Accident. | Killed. | Injured. | Damages paid. | REMARKS. |
|-------|-----------------|----------------------------|----------------------|-------------------|-----------------------|--------------------------------------|---------------|---|---|------------------------|-------------------------------|---|
| | | Hour of Departure. | Where from. | Engine. | Driver. | No. and description of Cars, &c. | Conductor. | | | | | |
| 1 | 1853 Dec. 12 | 11, 45 A. M. | Niagara Falls | Oxford. | G. Williams. | No. 2 Bag., No. 3, 13, 8 Pas. | Jones. | 1 mile east of Hamilton. | Fireman. | | £ s. d. 35 0 0 13 0 0 | The Engine came in contact with three cows and was thrown from the track, together with tender, baggage car and two passenger cars. The fireman was severely crushed in the gangway, between the engine and tender, and died upon the following day. No other person was injured. |
| 2 | " 26 | 8, 30 A. M. | London. | Windsor. | Graham. | No. 1 Bag., No. 6, 8 Pas. | Meston. | Cape Town Creek. | Fireman. | | | The engine and tender left the track in coming down grade in Copetown Cut. The baggage car was totally destroyed, and two passenger cars considerably injured. The fireman got his ankle jammed between the engine and the tender, and died two days afterwards, mortification having set in. The cause of engine leaving the track was never ascertained for certain, but it was supposed after careful investigation, that a wheel of the leading truck of the engine had come off. |
| " | 1854 Feb. 4 | 4, 30 P. M. 6, 35 P. M. | London. Hamilton. | Kent. Ontario. | A. Pringle. Kelly. | | McKenzie. | Between Dundas and Desjardin Canal, grade being very heavy up from east to west, and accident occurring by a curve. | | | | This was a collision between the engine "Kent" with freight train, and the gravel engine "Ontario," both engines were considerably damaged, but no person was injured. The engine driver, Kelly, was dismissed the Company service. |
| " | " 25 | 3, 10 P. M. | Hamilton. | Oxford. | A. Pringle. | | | Dundas Trestle. | | | | This was a collision between the "Oxford" and the " " caused by Mr. Greer ordering the latter to leave Hamilton without first ascertaining that the track was clear. |
| March | 13 | 10, 30 A. M. | Niagara Falls | Lincoln. | Nicholson. | | | 11 miles east of Chatham. | One man killed. | One man severely hurt. | | This was a collision with a hand car which four of the men had upon the track; they were all drunk; one of them was killed, and two others severely injured. No damage was done to the train. |
| 4 | " 23 | 12, 15 P. M. | Niagara Falls | | G. Williams. | | | Stoney Creek. | One man killed on track. | | | This man was lying on the track, and it being dark, the engine driver could not see him. His head was cut off by the cross timber of the Pilot. No damage done to train. |
| 5 | April 22 | 9 P. M. | London. | Hamilton. | Lopez. | 5 Freight Cars. | John Dunkley. | Woodstock. | Geo. Coulson killed on track, drunk. | | | Geo. Coulson was lying upon the track drunk, and was run over and killed by this train in the dark. |
| 6 | " 26 | 10 A. M. | Windsor. | Gazelle. | T. Hall, Senr. | | Mathews. | 5 miles W. of Niagara Falls. | | | Damage to Engine. to Cars. | This accident was caused by a large stone which had fallen from the side of the cutting. The engine was badly damaged, but no person received any injury whatever. |
| 7 | June 1 | | Niagara Falls | | | | Worthington. | 15 miles E. of Chatham. | W. D. Worthington. | | | W. D. Worthington was conductor of this train. He was leaning from one of the platform steps examining an axle box, when his head came in contact with a fence at a crossing, killing him almost instantly. The verdict was to the effect of "Accidental death," although not so worded. |
| 8 | " 2 | 10 A. M. | Windsor. | Reindeer. | Horton. | | Cook. | 2 miles E. of Lobo. | 5 Norwegian, 1 American, } Passengers. | 14 Passengers. | | A cow was on the track upon the top of a high bank and was not seen by the engine man until too late to stop; the cars were thrown down the bank, killing six people, and injuring several others. The whole were emigrants who were supposed to have been carried past London on the day previous, and were now being brought back from Chatham, but who it was afterwards ascertained had intended to go to Chicago, but not being able to speak English, were misunderstood by conductor Mathews, who left them at Chatham, from whence the station master sent them back, although their baggage was labelled for Chicago. The station master at Chatham was fined one week's pay. The baggage master at Chatham was discharged. Conductor Mathews was suspended for 10 days. The Coroner's Jury returned a verdict of "Accidental death," with a recommendation to the Company to complete the fencing along the whole line as speedily as possible. |
| 9 | " 10 | 9 A. M. | Windsor. | Stag. | Reid. | | Woodhead. | 2 1/4 miles E. of Chatham. | | Thatcher, Mail Agent. | | One of the axles of the tender broke. The baggage car and post office was badly injured, and Thatcher, the mail agent, had his arm broken. |
| 10 | " 12 | | | | | | | 4 miles E. of Woodstock. | Donal McLeod, watchman. | | | The deceased was drunk upon the track, and was run over, crushing his skull. Verdict of Coroner's Jury—"That the deceased, Donal McLeod, railway watchman, came to his death by a certain engine train breaking his skull to pieces, he, D. McL., being at the time in a state of intoxication." |
| 11 | " 27 | 9 A. M. | Windsor. | Woodstock. | Pringle. | 3 1st Class, 1 2nd and 1 Bag. | Hertford. | 1 mile W. of Princeton. | Two killed. | Six injured. | Damage to Engine. to Cars. | The track layers had taken out a rail and neglected to send out any signal, but upon seeing a train approaching, one of them ran back and held a signal. The train was however so close that although the engine was immediately reversed, and every effort used to stop the train, it could not be done; the result was that two persons were killed, six injured, and considerable damage to engine and cars. |
| 12 | July 6 | 10, 30 P. M. | Niagara Falls | | Collinson. | | Mathews. | Thorold. | Seven killed. | | | Train ran over two horses at the level crossing E. of Thorold Station, thereby throwing off the track several cars. Seven persons, emigrants, were killed, and several others injured; it being night of course prevented the engine driver from seeing the horses. The train was running steadily at the time, being about to cross the Swing Bridge over the Welland Canal. |
| 13 | Aug. 22 | 6, 30 P. M. | Windsor. | Sampson. | Cox. | | Hawkins. | Copetown. | Michael Burke. | | | Burke was lying upon the track drunk, and being night was not seen by the driver, and was run over and killed. |
| 14 | Sep. 30 | 2 P. M. | Niagara Falls | Welland. | Cox. | 3 Pas. and 1 Baggage Car. | Wallace. | 3 miles E. of Woodstock. | Richard Cox. | | | Cox fell from the engine whilst looking over the side, he was seriously hurt, and died shortly afterwards. Verdict "Accidental death." |
| 15 | Oct. 11 | 7 A. M. | London. | Atlas. | Young. | | Porter. | Beachville. | David Wiles. | | | Wiles was travelling by the freight train in charge of two horses, attempted to jump on after train was in motion, and was thrown off; cars passed over both legs and killed him. |
| 16 | " 27 | 2 P. M. | Niagara Falls | Reindeer. | Smith. | 1 Bag., 1 Exp. & Mat., 2 2d & 4 1st. | Nutter. | Baptiste Creek. | 52 killed. | 46 injured. | | This man was lying drunk on the track and was not seen by the engine driver until struck, in consequence of a heap of dirt which hid him from view. He was picked up and taken on in the train to London, where he died the same night. The Coroner's Jury returned a verdict—"Killed by his own stupidity and drunkenness." |
| 17 | " 29 | | Windsor. | Lightning. | | | McKay. | 4 miles W. of London. | Nicholson. | | | |

SCHEDULE

Of Accidents on the Great Western Railway, from the
Opening of the Road, 10th November, 1853, to
10th November, 1854.

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ACCIDENT AT BAPTISTE CREEK, 27<sup>TH</sup> OCT., 1854.  
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Evidences examined or taken and referred to in the Report.

COUNTY OF KENT, TO WIT :

Information of witnesses severally taken at an adjourned inquest and acknowledged on behalf of Our Sovereign Lady the Queen touching the death of J. B. Bodfish, Peter Gallager and others now lying dead at the Great Western Railway Depot in the Town of Chatham, Township of Raleigh and County aforesaid, on the 28th day of October, in the year of Our Lord one thousand eight hundred and fifty-four, before Edmund B. Donnelly, one of the Coroners for the said County, on an inquisition then and there taken on a view of the bodies of the said J. B. Bodfish, Peter Gallager and others then and there lying dead, as follows, to wit :

J. T. NUTTER, of Stamford, Canada West, being sworn, says : that he is a conductor of the Mail Express train on which the collision took place on the morning of the 27th October, 1854 ; has been conductor of that train since Monday last ; has been in the employ of the Company since February ; left London at 2 o'clock of the afternoon of the 26th instant, and arrived at Chatham at 4.30 minutes of the morning of the 27th. After leaving this and after collecting tickets, sat down to assort them some fourteen miles near Baptiste Creek, heard a noise and crash. The morning was densely foggy and dark ; the seat gave way, and the cars stopped suddenly, heard dreadful cries, and going out saw John Martin lying in a helpless state, and pulled him in the car ; this was at 10 minutes past five A. M. Martin survived about two hours and a half ; train was going between 22 and 25 miles an hour, was behind time, and gave engineer instructions to go slow as the night was dark and they could not connect. Instructions from Mr. Brydges tells us to run slow ; started on time and ran on time as far as Fairchild's Creek about sixty miles ; was delayed at St. George's one hour and eighteen minutes by Gravel train being off track, then followed freight train which was ahead of me to Paris and then to Princetown ; this caused 20 or 30 minutes more delay ; passed them, and the next train at Princetown ; road clear to London, still behind time ; telegraphed to conductor going east ; that witness would keep out of his way to Wardsville ; left London at 9.30 p.m. ; ran some 3½ miles, when my engine broke ;

sent out red light ahead ; went back to London on foot to get another engine ; got one ; came down to the cars and pulled them back to London ; this was the cause of my detention at London ; lost by this break down three hours and forty minutes ; had a clear way to Windsor, except freight train waiting for me at Ekfred ; nothing occurred until we came to Baptiste Creek ; after taking breaksman in (Martin) jumped out of car and ran against one fireman, James Finny ; Breaksman Cole said it was fireman ; asked for engineer Thomas Smith ; person asked did not know where he was ; fireman was in the water ; Breaksman helped me to raise fireman ; asked again for the Engineer ; at this moment he came up. A gentleman, Mr. Skell, came to me and asked who fireman was ; I told him ; he assisted me in removing a child from the ruins, and built a fire with the fragments of the Car. Mr. Thomas F. Meagher came up and assisted as much as he could ; then enquired cause of the accident ; one of the breaksmen, Wm. Cole, said we had run into a gravel train. I supposed some cars of Gravel had got loose from others, and that the parties on the Gravel train were not aware of it ; could not think a gravel train was out at that time. Let the men at work to extricate the dead and wounded when fire brightened up. Went to the forward end of my train, and met a person, the engineer of the gravel train, John Kettlewell. I asked him in God name why he was there ; he said he was ordered there ; dispatched a messenger to Chatham for assistance, and continued extricating dead and wounded ; found out from fireman that he was moving east ; backing his engine, saw situation of engine. After day light, between 10 and 11 o'clock, went to Kettlewell, and asked him who had ordered him out ; D. W. Twitchell ; he said he had refused, but was compelled by a party higher than him in authority, and that they would be personally responsible. Mr. D. W. Pollard was fireman of the Gravel pits ; then asked where conductor and Mr. Pollard were ; he said conductor had gone to the house, and Mr. Pollard to Windsor. I then asked fireman of the pit ; he said fireman was assisting in removing the dead and wounded. I wrote a note to conductor to come with his men and assist in clearing the track ; again asked engineer why he had disobeyed orders ; he said he had asked Mr. Gregory at Windsor, who told him the conductor had their instructions, and that they must be obeyed. I asked him whose duty it was to report when the trains passed ; he said we have a wiper to wipe our engine, and probably to look after the trains if he does not go to sleep after he gets his engine wiped ; did not tell witness who that person was. Asked if he thought the train had gone by ; he answered, and was confused in his answers ; said that watchman gave him to understand that express train had passed from what watchman had said to him, and he burst into tears and left me. Watchman was standing there, and was pointed out to me. I said : is that you watchman, he said he was. Asked him if he saw the train go past ; said yes, a friend of his said, and he said yes. About 8 o'clock the evening previous, I asked him which way it was going, he said east ; did not learn his name then ; none there present knew it ; he went off, and did not see him since ; had all the usual lights about my train with large reflector in front ; could be no possibility of witness or engineer being aware of the proximity of gravel train ; flags were to notify me not to pass ; tail or red light behind is to warn other trains that may be following ; as soon expected to meet a brick house or Steam boat as a gravel train, where I did on this or any other part of the track ; asked my engineer if he saw gravel train lights, and he said he did not. By engineer of gravel train, John Kettlewell, did I not tell you that watchman had informed me that express train had passed at one o'clock. Witness says that he has no recollection of being told so, yet he might have said so.

By superintendent of Mr. Harris, T. D. Randall, do you consider it the duty of every man on gravel train to set up and wait to a certainty that the express train

has passed. Answer—Not from personal knowledge, but by keeping a proper watchman to keep look out and get information from train.

(Signed,) J. T. NUTTER.

Chatham, 28th October, 1854.

Then the jury proceeded to view the body of Caroline Crandell who died in the car after her arrival at the G. W. R. W. station at Chatham, after which the jury proceeded with further evidence.

(Signed,) E. B. DONNELLY, Coroner.

JOHN KETTLEWELL, of Sandwich, County of Essex, being duly sworn, sayeth; that he is engineer on the gravel train; my engine was fired up and steam on at 4½ A.M. of the 27th instant; then inspected my engine and head lamps; weather was very foggy. Waited orders from conductor; after hitching on cars and enquiring from the watchman Patrick Pine, whether the Express train going west; he told me it had about one o'clock got on to the main track, and proceeded to go Eastward of Janel's Creek by the conductor's orders. The conductor is Mr. D. W. Twitchell; proceeded about two miles driving cars; before engine had one red globe lamp and one revolving signal lamp on the furthest car; did not see the Westward Mail Express train, nor fell till we ran right into her; by a Juryman, was under pay from Mr. Harris; since 10th July were in the habit of starting from 4 to 6 o'clock in the morning. 6 o'clock is the proper time for starting in the morning; had confidence in watchman Pat Pine; he had always been regular and attentive to his duties, of sober habits; take my instructions from conductor only said to Mr. Nutter, that Pine; he had wiper for engine who was also watchman, if he had not gone to sleep, alluding to that night, he had either been asleep or he had lied about the train passing; has no reason to suspect any one for inducing the watchman Pine to abscond; was going from about ten to twelve miles an hour when collision took place; watchman Pat Pine was employed by M. Harris. Have full instructions from the Company in the shape of a pamphlet; engine going West should have passed a little after 10 o'clock the evening before; watchman had watched from the 9th instant; he had gone out as much as four times in a day time, when Express train had not yet passed; by orders of Mr. Pollard is employed by Mr. Harris; cars went out when Pollard was in charge, and the other three times when Twitchell was there. Remonstrated against the course with Twitchell as being contrary to the printed rules of the Company, and on the 13th complained to Mr. Gregory at Baptiste Creek; gave no answer positively, but on the 14th gave me one letter to Mr. McKenzie, the time keeper for the Company; Mr. Gregory remarked to me that I incurred no responsibility when ordered by the conductor; considered myself exempt from the rules laid in book by Mr. Gregory's answer. To the witness's knowledge this was the first time any Officer of the Company had any knowledge of this breach or deviation from the rules laid down for their guidance, and of which he was in possession, also the time table of Monday last. The two last times he was on the track; was on the 25th and 26th instant. Mr. Harris pays me \$70 per month; is acquainted with the general regulation No. 1, by which the engineer knows the duty of the conductor; therefore, witness knew that conductor was guilty of a breach of duty; heard Twitchell say he had received a letter from Mr.

Gregory, and accused witness of having reported him; does not know the content of the letter; knew that what Mr. Gregory said did not entirely exempt me from blame for going out in train time.

(Signed,) JNO. KETTLEWELL.

Chatham, 28th Oct., 1854.

JOSEPH HOLMES, being duly sworn, saith: that he resides at Clayton, Cty. Joa, Town of Gottenburg; was a passenger in cars when collision took place; took cars at Suspension Bridge on his way to Detroit; was in second car of 1st class when collision occurred; was thrown by side of a stove; got up; went to front door, and could not get out by that, went to back door, and got out. It was very dark, but yet could discover that 2nd class cars were mashed up when near to them; by a faint light from locomotive could discern people lying about here and there, some dead, some wounded and some endeavoring to assist the wounded; the dead were laid aside the track in a row, and covered up, and the wounded were placed in the cars as soon as possible; assisted the conductor Mr. Nutter in relieving the wounded; knew six of the parties killed, two of his aunts, two of his uncles and two of his cousins, Peter Bodfield, Martha Bodfield his wife, Nathaniel Oaks, Orelia Oaks, his wife, Cornelius Oaks, their son, and Daniel Oaks, also their son; these are the parties the Coroner's Jury examined in witness's presence; the treatment shown by the conductor Mr. Nutter to the wounded and passengers, was very kind.

(Signed,) JOSEPH HOLMES.

Chatham, 28th October, 1854.

EDWARD JAMES McLEAN, of Rochester, in the County of Essex, being duly sworn, saith: that he belongs to the gravel train employed by the G. W. R. W. Co., to take count of the quantity of gravel taken from pit, and the distance it is run; was on gravel train yesterday morning about 5 o'clock, when collision took place, between it and express train going West first noticed engine blowing off steam, and felt jerk, and was thrown on the wood and back again towards fireman; got on train at gravel pit before five in morning; switched on train track; there was a man in charge of the switch; does not know him; saw engineer and conductor at gravel pit; the latter told engineer he was to go east of Janet Creek with the loaded train; thinks he was a watchman employed by Mr. Harris; the gravel contractor; this watchman called deponent up the morning of the accident, viz: 27th October instant; did not hear watchman say that track was clear, or that train had passed; was in their employ only since day previous; felt no apprehension in going out that morning; thought all was right; had no control over gravel train when going on track; there is a switch to the main track, and two branches from that in the pit; the pit is on the Lake shore. By Mr. Twitchell, was awake all the time after starting gravel cars had run each about $2\frac{1}{2}$ miles.

(Signed,) E. J. McLEAN.

Chatham, Oct. 28, 1854.

D. W. TWITCHELL, of Tilbury West, being duly sworn, saith: that he is conductor upon the gravel train at Baptiste Creek, and was acting as such on the morning of collision; is in the employment of G. F. Harris; the gravel contractor gave order to engineer to go out on the morning of the 27th October instant;

witness was told upon particular enquiries by watchman that the train had passed west; knew watchman Pat Pine for the last two months; said Pine was to witness's knowledge always sober and steady; watchman had particular instructions to watch each and every night; usual hour is from six in the morning in summer for starting, and latterly, as trains were irregular, adopted the custom of going out earlier in the morning, say from 4 to 5½ o'clock A. M.; have been on train since the 26th September; proceeded about 2¼ miles when collision took place; was on front car easterly; saw the express train approaching; turned the red light of the revolving lamp to my engineer to stop, and jumped off; as he alighted splinters from express train, flew over me; it was very dark and foggy; the man standing next to me was killed, he was a colored man; would have carried the light even if I had seen the express train go by myself; do not recollect that engineer remonstrated with me for running on train time, but after Mr. Gregory's letter said to engineer, Jack you have reported me; his answer was somewhat to this effect, no body denies it; since receiving Mr. Gregory's letter, Mr. Muir wrote to the effect that, when the mixed and freight trains were half an hour late the gravel train might go; the letter was addressed to Mr. Pollard; on the 25th instant, ran about 1500 ft. from the switch; saw the watchman yesterday morning about 10 o'clock, and said, Pat, I thought you told me the train had gone by; he said he thought it had at 11 o'clock evening previous. A few days before had cautioned him to be careful, and not to go to sleep, for it would be a dreadful thing to meet the express train; his business was to watch and call us; in the morning saw Pine. Kettleworth's watch, a watchful guardian, could not fail hearing the train pass a long time; had I found him guilty of an untruth, I should have reported him and discharged him; on one occasion that he went out on express train time, Mr. Bunker, Mr. Pollard and witness had consulted together to start to dump; this was on the 25th and 26th instant; Mr. Banker wanted gravel, and said he might go out as it was near at hand and there was plenty of time to dump, and there was no use in laying idle, and gravel was wanted so near at hand; have a book of instruction; but those contained in the red book and those he is well acquainted with; went out in the morning on the express train once or twice; knew it was his duty not to do it; and if he did it he was not aware of it at the time; by my watch was never out on express train to my knowledge before Mr. Gregory's letter; have often asked J. Hogan for the true time (at Baptiste Creek Station); thought that watchman had deceived me; did not arrest him, had so much to think of in the confusion at the time; Pine was engaged by me and instructed in his duties; was instructed by Mr. Pollard to do so; *watchman was paid by Mr. Harris, and not by the G. W. R. W. Company.*

(Signed,) D. W. TWITCHELL.

Chatham, 28th October, 1854.

D. W. POLLARD, of Baptiste Creek, in Tilbury West, being duly sworn, sayeth: that he was in charge of the ballasting at Baptiste Creek under Mr. Harris; has control over gravel train so far as to tell them when to go out and when not to go, *when trains are not due*; was not at gravel pit yesterday morning; when accident occurred was at Windsor; watchman was in the employ of Mr. Harris; his duties were to watch the train, keep engine clean and watch the regular trains at night; conductor has no other means or cannot do otherwise than trust the watchman; never to his knowledge ordered Mr. Twitchell to go out on the track

on express train time ; made enquiry from the watchman P. Pine ; this day was and is in possession of Red covered book of instructions and time table of Monday last ; received a letter from Mr. Muir when mixed and freight trains are half an hour late to go out with the gravel train ; it was talked of between Mr. Bunker, Mr. Twitchell and myself with regard to the gravel trains going out to dump at a short distance ; do not know whether what Mr. Banker said had reference to the time they should dump ; does not think if they go out after the express cars pass Baptiste Creek going east, it would be against instructions, because the express train going west cannot come on for an hour or more, and under the circumstances could not be due ; my principal duties were to furnish every thing necessary for the work being carried on, and had no instructions from Mr. Harris to put the gravel train on during other than regular train time, or to violate any of the Company's rules ; had no other instructions besides those contained in red book whilst he was conductor of gravel train on other end of the route.

(Signed,) D. W. POLLARD.

Chatham, 28th October, 1854.

THOMAS C. GREGORY, resident engineer of the western division of G. W. R. W. of Windsor, in the County of Essex, being duly sworn, sayeth : that he was informed both by Mr. McKenzie and Mr. Kettleworth that the gravel trains ran on main track during express train time, and that they were infringing on the Company's rules ; told Kettlewell that he considered the conductor responsible, and shortly afterwards wrote to Mr. McKenzie, letter marked No. 6, enjoining upon him to see that Mr. Twitchell did not run on express time, and strictly adhere to the rules to be off the main line twenty minutes before the train is due ; had no intimation of any dereliction of duty since writing the letter to Mr. McKenzie until this day ; considers the printed rules perfectly good if they are followed out by the employers of the Company, as they indicate great care in framing, and there is no fault to be found with them in any particular ; the management of this railroad is conducted with care in the conduct of its trains, and that all due care is taken towards the safety of the passengers ; knows of no instance of want of care or attention on the part of Mr. Brydges or any other person in power on the Board regarding the safe conduct of the train and safety of the passengers ; there is danger when a fence is down, and horses and cattle get on the track ; Mr. Pollard did not notify witness that gravel trains were arriving earlier than usual.

(Signed,) THOMAS. C. GREGORY.

Chatham, 28th October, 1854.

WILLIAM SCOTT, of Windsor, in the County of Essex, being duly sworn, sayeth : that on the evening of the 26th left Windsor on train time at 7.10, or as near to it as possible ; we passed the train at Rochester 19 miles from Windsor ; asked the conductor whether we had any other trains to pass, said yes ; we should pass another train at Thamesville, had left Ingersol at 8.20, just two hours late according to the time table at Wardsville ; understood there was a message from the conductor of the western train to the effect that he would keep off the track. At Eckfrid, we passed other train that had left Windsor, four hours before us ; went to Lobo ; news was circulated through the train that the Western express engine had broken down five miles this side London ; went on slowly to London, and arrived about one o'clock a. m. ; about half past one heard the train leaving to go west, nearly

seven hours late, trains travelling so much out of time the Company should have watchmen at every switch on the main line, and not trust to watchmen employed by conductors ; it is the practice of all Railway Companies to appoint watchmen of their own, and when I was late division Engineer, I had instructions from Mr. Brydges that the traffic department would attend to placing men at all the switches ; there is great carelessness in sending out an engine to break down in 4 or 5 miles without looking into the matter, if it was but one instance it would not matter so much, but it is a frequent occurrence ; the present engines now used for gravelling are not fit for long hauls, and if this course is pursued, there will be frequent accidents. Thinks this is the worst conducted road in America. After accident of the 3rd of June in London, Mr. Brydges told me to urge on the fencing, if it cost a year's revenue. Sent to Lake Huron for lumber ; did not get the money ; I wanted one thousand pounds £1000 to commence completing up the fences, and put them in good repair. The system on American roads is to give a train the right of the roads after another train has been a certain time late ; considers working by Telegraph a bad system ; I recommended that sidings should be made every seven or eight miles to ensure the safety for a long track ; knows nothing about the immediate collision ; a person stationed over a Railway should be cognizant of all the irregularities in the various departments, it is never excusable for a conductor to come out against the rules of the Company ; some three weeks ago I was coming up, and when within four miles or so of Chatham, we met another express train, and it was obliged to go back to Chatham. It is almost impossible for a train to pass a watchman without his being aware of it, no matter how dark or foggy the night, and even if he was asleep in his box it could scarcely pass without his knowing it ; was for 16 or 18 months in the employ of G. W. R. W. Co. as division engineer ; Company dispensed with my services about three months ago. Having a watchman at every crossing is universally done in England but not in the United States, with perhaps a few exceptions ; had never expressed to Mr. Brydges his approval of the general management of the road.

(Signed,) WILLIAM SCOTT.

Chatham, October 28th, 1854.

CHARLES JAMES BRYDGES, of the City of Hamilton, in the County of Wentworth, being duly sworn, sayeth : that he has been managing Director of the G. W. R. W. for two years past ; have devoted much time and attention to framing rules and regulations, and they are contained in the Red Book No. 1 ; considers them quite sufficient if carried out by the employees of the Road ; have taken all precaution that his judgment and experience enabled him to do for the safety of the trains and passengers in the formation of the rules ; came down here for the purpose of aiding in this investigation of this deplorable accident. A few months ago received from Mr. Scott a letter entirely spontaneous on his part speaking in the highest terms of the manner in which the business of the Railway was conducted. Mr. Scott's evidence being quite unexpected, he has not the letter here to produce, but can produce it on monday. The New York and Erie Railroad, which is admitted to be the best on this continent, is worked solely and exclusively by Telegraph in the working of their trains. I will add to this that in my experience and judgment in the working of the large traffic of the Great

Western, that it would have been impossible to do it either safely or satisfactorily without the aid of the Telegraph. Had twelve years, experience both in the old Country and here.

(Signed,) C. J. BRYDGES.

Chatham, 28th October, 1854.

At the Coroner's inquest held at Chatham, October the 29th 1854, the jury was called (the Court being kept open by adjournment) to view the body of Thomas Ringston, who died of his wounds at the residence of the Sisters of Charity in whose charge he had been placed; said Thomas Ringston had his leg amputated in the cars whilst on their way to Chatham after the accident of the 27th instant; the jury then retired to meet at 6 p. m. on monday the 30th.

(Signed,) E. B. DONNELLY, Coroner.

The jury having heard of the death of Robert Mitchell, one of the wounded persons by the collision, proceeded to view the body, and retired to meet at adjournment.

E. B. DONNELLY.

Chatham, 29th October, 1854.

Two children having died, the Coroner's jury proceeded to view the bodies, one of which about 5 or 6 years old, is supposed to be Eliza Robinson; another, an infant at the breast, name unknown, the jury then proceeded to hear further evidence.

(Signed,) E. B. DONNELLY, Coroner.

Chatham, October 30th, 1854.

DANIEL MORAN, of Tilbury West, in the County of Kent, being duly sworn, sayeth: that he is the tankman or pumps water at the tank the day before the brake. Mr. Pollard was at the tank; witness observed to him, you are doing big work those times; he said there were six trains out that day; witness observed that he Mr. Pollard was running on express time; he answered that it was as well for him to be discharged by the Company for doing good work on express time as to be discharged by his employer for doing bad work, this conversation took place the day before the collision.

(Signed,) DANL. MORAN.
his
mark.

Chatham, 30th Oct., 1854.

WILLIAM SCOTT's examination resumed; was division engineer in the employment of the Company; considers it necessary that a watchman should be appointed at every side track coming from a gravel pit on the road; expressed his opinion to Mr. Brydges as to the necessity of having such watchman appointed; came to Chatham to see what was going on when he was asked by a juryman to come before coroner's jury and give evidence, should have come and offered evidence at all events; considers it every man's duty in a case like this to come forward; had witness been at gravel pit should not have come out a foggy night; Switchman at gravel pit is not usually a watchman; when witness was in charge of that gravel pit he always had a watchman, whose duty it was to see that the track was clear and keep cattle off.

(Signed,) WILLIAM SCOTT.

Chatham, 30th Oct., 1854.

The Court, at this state of the proceedings, adjourned till to-morrow evening at 7 o'clock.

Chatham, Oct. 31st, 1854. The coroner and jury met as per adjournment, and the roll being called and found correct, the Court proceeded to business.

THOS. C. GREGORY being already sworn, says, instead of saying at his first examination, that the gravel train had run upon express train time, he intended to convey that the train had run too close upon express train time; never knew there was a watchman at the pit; conductor is responsible for gravel train running upon express train time, and considers it his duty to ascertain whether express train has gone by, if not certain, should not go out, and would be supported by the Company in this course.

(Signed,) THOS. C. GREGORY.

Chatham, Oct. 31st, 1854.

PATRICK PINE, of Tilbury West, in the County of Essex, being duly sworn, sayeth: that he has been engaged at work at the gravel pits on the Lake shore, for some 24 days; did not know at the time that Mr. Twitchell was Mr. Harris's Agent; Mr. Twitchell, who sent after witness whose duty at the pit was to wipe engine and get steam up in the morning, did nothing else; did not turn switches; took about 3 hours to wipe engine; came in with engine some time after dark in the day time; slept at boarding house; engine went out at 4 o'clock; could not sleep after having cleaned the engine; had no orders to watch; had also the dredging machine to fire up previous to firing the locomotive; recollect morning on which accident occurred; had conversation with Mr. Kettlewell; called upon him to wake him up; walked to the engine, he asked me if a train had passed, I told him I heard one train going East, he did not ask him what train it was; told him train had passed about 12 or 1 o'clock. Saw Mr. Twitchell; did not call him up that morning; held conversation with Mr. Kettlewell outside the house; saw Mr. Twitchell on the dredge, he asked me if I had called up the boys, I said no; he never asked me any question concerning the train; does not know why Mr. Kettlewell asked him if the train had passed; attended switch one spell of a day when Switchman was sick; does not know his name; heard, but never saw train going by at night; could tell if he took notice which way train went. Thos. Bains was present when Mr. Twitchell engaged him; when I left on day of collision was told to do so by Mr. Pollard; did not see them start that morning; first heard of the accident shortly after turning into bed; before day light, heard a colored woman say so in the kitchen; got up and walked towards the cars, about a quarter of a mile from boarding house, met Mr. Twitchell, asked him what the matter was, he said he could not tell; after short time told him, witness, that express train had run into them; Twitchell was alone; it was just getting light then; he asked witness whether he knew about the occurrence; was answered not; had no time table nor book, nor had ever had any. Did not know there was a train due from the East; Mr. Twitchell asked me to go along with him and get some of the Company's men to take him on a hand car to Windsor; the men would not go; Twitchell did not say why he wanted to go to Windsor; saw the conductor next time at Baptiste Creek; had no conversation with engineer there; Mr. Kettlewell said to me, Pat you rascal, why did you tell me the train had passed; witness said he had told him the train had passed, meaning it had gone East. Saw Mr. Pollard about 4 P. M. I was going towards Mr. Mason, and being tired, sat down there; returned towards boarding house, when Mr. Pollard

followed me, and said Pat, you had better clear out ; witness asked him what for, Pollard said you will be arrested ; witness answered he was not afraid, did not suppose they could hurt him ; Mr. Pollard said if they caught him they would ; this did not frighten me ; I told him I could not go as I had no money as far as Detroit without it ; he then said, here is two dollars, and that will carry you to Detroit ; witness took the money, went up stairs with Mr. Pollard to get his clothes ; when Mr. Pollard said, leave your bag and I will send it to you to-morrow, and drop a line to witness in Post Office with his money to witness ; supposed the two dollars to be part of my wages ; went to Detroit ; had conversation with Mr. O'Conner at Windsor on saturday, and told him I would give myself up ; did this, because he saw his name mentioned in the papers as a watchman ; Mr. O'Conner said they could not hurt witness any ; went back to Detroit and came back this morning ; hearing some person was looking for him ; saw Mr. Kettlewell at Windsor this morning ; went to Detroit on foot ; Mr. Pollard said if I did not hurry, the cars would be after me ; never saw any man setting up at night ; they used to call me watchman ; never told Mr. Nutter that he had informed Mr. Kettlewell that the train had passed about eight o'clock evening previous ; Mr. Nutter asked witness if he was watchman, witness said he was ; he was awake till one evening before the accident ; met Mr. Mason in the morning ; told him about the break down, and that he was blamed for it ; witness said he was not to blame ; Mr. Mason said he thought not ; Pollard urged witness to go for about $\frac{3}{4}$ of an hour ; supposed he was advising me as a friend ; remained in Detroit until this morning. The men who refused to go to Windsor, were Mick Conlin, Matthew Innis and Pat Golden, they all spoke ; received instructions from Mr. Twitchell and from Mr. Kettlewell concerning engine.

(Signed,) PATRICK PINE.

Chatham, Oct. 31st, 1854.

THOMAS MASON, of Tilbury West, in the County of Essex, being duly sworn, sayeth : that on his return from the ruins, met Mr. Twitchell, walked to witness's house about 300 yards from Dredging machine ; when at witness's house had some conversation with Mr. Twitchell, during which he asked witness to conceal him until such time as he could hear how things were ; witness told Mr. Twitchell to stand his own ground, and look up like a man, not to run away on any consideration whatever ; asked permission to stop at witness's house for two or three hours ; witness consented ; on witness returning from ruin the second time, Mr. Twitchell observed to him : Mason, good God, what shall I do ; witness answered, Twitchell go to your own boarding house, and there stop, dont move a foot ; Mr. Twitchell left the house, witness accompanied him part of the way to his boarding house, persuading him to stand his own ground ; constables from Chatham came to witness's house enquiring for Mr. Twitchell ; this was about six o'clock P. M. ; witness gave them all the information he could, and sent a man along with them to find him ; there was no one present when the conversation took place between Twitchell and myself ; Twitchell observed to witness : in the name of God what shall I do, I killed 40 ou 50 poor souls, who never did me any harm ; whatever will they do with me, they'll hung me I suppose ; he kept crying all the time ; Mr. Pollard and Mr. Twitchell were together a short time in witness's house up stairs ; Twitchell sent for Mr. Pollard to see what he should do ; if it was after Pollard and Twitchell had been together, that Pollard went towards the dredge where Pine was ; had no difficulty in inducing Pine to come

over the river to Windsor ; last winter witness had a contract on the gravel pit, and had a switchman of his own ; were running only during the day, and had no watchman ; saw Kettlewell on day of collision, but had no conversation with him about the accident ; held the pit nearly five months ; Mr. Scott was engineer at this time ; held the pit during the months of January, February, March, April and part of May ; during this time, neither Mr. Scott or the Company had any watchman to guard the track or keep cattle off ; Mr. Scott worked the track one, two or three weeks ; cannot say if Mr. Scott had a watchman during the time he worked the pit.

(Signed,) THOMAS MASON.

Chatham, 31st Oct., 1854.

THOMAS SMITH, of London, County of Middlesex, being duly sworn, sayeth : that he was engineer of the mail express train going West, on which the collision occurred on the 27th ; the name of the engine is Rein Deer ; night was very dark and foggy ; had no intimation of a train of cars being before me ; saw a kind of dim light like a shadow, and struck nearly at the same moment ; had no time to blow the whistle ; stuck to the car till it tumbled over, and then crept out from among the wood, steam and water ; thought I had run into a train. Understood the road was perfectly clear ; the dim light might have been ten or twelve yards off, when perceived ; driver of gravel train came forward and enquired if any body was hurt, and observed it was a bad job, and observed they had been running out some mornings that way, and expected some accident would happen ; understood they had a clear track from Eckfrid ; told the track would be clear by conductor and Mr. ; witness has been eleven years running locomotives ; saw engine that was backing gravel train afterwards, it was the St. Lawrence.

(Signed,) THOS. SMITH.

Chatham, Oct. 31st, 1854.

G. F. HARRIS, of Hamilton, in the County of Wentworth, being duly sworn, sayeth : that in his contract with the G. W. R. W. Company, it was not understood that the Company should have a watchman independent of the one he might have ; there was nothing said about a watchman ; conductor, engine driver, fireman and *switch tender* were the only officers mentioned in the contract ; cannot say whether his conductor hired Pine to watch the trains as well as to wipe the engine and fire up, but should have done so, this is the custom on all witness's gravel pits, except one, which is far from the road at Stoney Creek ; that it required two, one at the pit and one on the regular line of the road ; took possession of the gravel pit on the 19th of May, or the 19th of June ; does not know which, considers it is the conductor's duty to appoint and see after the watchman, breaksman and switchman, and is responsible for the performance of their duty ; wrote to Mr. Pollard to see that Mr. Twitchell had all the Company's instructions ; witness proposed that Twitchell should be appointed conductor, and Mr. Gregory consented ; fireman can have no control over conductor, if the conductor does his duty according to his instructions, neither the fireman or contractor could have any control over him as to the time of his running on the main track ; Company's rule would be his guide ; witness had given instructions to Mr. Pollard to have watchmen at all the other pits where he had been. It was as customary for witness to have a watchman at gravel

pits as to have an engine driver ; Pollard knew this, and had instructions to convey it to Twitchell with the other instructions of the Company ; been engaged on twelve different roads during the last eight years, and has never known any other custom, than that the watchman should wipe down the engine and fire up, wake hands and watch the night trains ; complained to Mr. Brydges that the trains were irregular, and that he could not get his gravel out fast enough, and asked permission to run on express train time when the cars were late under certain regulations by flagging ahead ; Mr. Brydges refused to let him this occurred during the last month, about three weeks since, and I said no more about it, and never gave my men any orders to violate the rules of the Company ; was furnished with books and time tables by the Company ; watchman having to wipe engine and fire up, and work to do, this should keep him awake ; express train drivers cannot avoid knowing where the gravel pits are on the road, and always whistle before approaching them.

(Signed,) G. F. HARRIS.

Chatham, 31st Oct., 1854.

Chatham, 1st Nov., 1854.—The Court having met as per adjournment, the examination of witness was entered into as follows :

GEORGE SMITH, of the Town of Chatham, in the County of Kent, being sworn, sayeth : that he has been working at the Dredge for about one month ; knew Pat Pine ; had conversation with him before the accident ; was told by Pine that his duty was to wash the engine and clean it up ; never did say he was employed to look after the trains ; this conversation took place before the accident ; Mr. Pollard employed witness worked one month and eleven days ; Pine was there before witness ; heard the news of this collision ; a few minutes after it took place met Mr. Twitchell on going to wreck the same morning ; heard Kettlewell say it was so foggy he could not see, and that it was a bad accident ; heard that Pine had run away ; Charley Scott said so, thought he had run away probably because he was in danger ; could not hear train pass from whence witness slept when awake ; trains express were not in the habit of whistling, except when about stopping at Baptiste Creek, or something on the track ; thinks Pine knew the names of the different trains. Always knew at night which way the trains were going, without going place, where Pine washed the engine, was about 25 yards from the track ; hands were closer to the main track when sleeping than when at work ; Pine was nearer the track when at work than the rest of the hands, when wind blew off the lake and waves ran over the bank could still hear the trains pass ; Pine had to fire up dredge, in time to have it ready at 4 A. M. ; Dredge was in Mr. Harris's service.

(Signed,) GEORGE ^{his} SMITH.
mark.

THOMAS HIGGINS, of the City of Detroit, in the State of Michigan, being duly sworn, sayeth : that he acted as conductor on the gravel pit train on Lake St. Clair shore, in Mr. Harris's employment, from the 26th of May to 22nd September, 1854 ; whilst on gravel train knew of its running on express train time ; run out twice on his own responsibility in day time, none of the Company's Officers knew of it ; always had a flag out when going on main track on express train time ; went only when express train had passed going East ; would try and

ascertain in the morning whether express train had passed during the night. Means by watchman the person who wipes the engine at night and fires up in the morning ; watchman would be the most proper person to enquire from, for, if he did his duty, he would not sleep ; was not discharged from gravel pit for refusing to run on express train time ; Mr. Gregory notified witness that Mr. Harris was not satisfied with him, and that he wished to appoint another, and that witness was to remain on train as time keeper ; Mr. Harris said to deponent that he did not do work enough, and that he had not sufficient control over his men ; does not consider Pine a fit person to place as watchman, as he occasionally drank liquor rather freely ; not aware that Mr. Gregory knew that gravel trains run on express train time ; left gravel pit on the 2nd October by order of Mr. Gregory for being off his work ; was asked by Mr. Wright, superintendent of gravel pit for Mr. Harris, to go out on express train time ; witness refused ; Mr. Wright said he had some men that would go out. The accident is attributable to the conductor of gravel train, as he had disobeyed the orders of the company ; considers engineer under orders of the conductor ; was dismissed some two months after refusing to go out on express train time by orders of the Company ; when the gravel train was not dumping, a flag should have been sent before and behind ; witness only did so when on a curve.

(Signed,) THOS. HIGGINS.

Chatham, Nov. 1st, 1854.

W. H. MITCHELL, of the Town of Chatham, in the County of Kent, being duly sworn, sayeth : that he has been employed on the road as assistant engineer ; knows nothing of this accident ; has worked on several roads in the capacity of assistant engineer ; cannot say much about gravel trains, as but few came under his observation ; understood there was a watchman at the pit where the Company worked ; Company had a night watchman at this place, and one at Wardsville ; considers this road well conducted ; have known roads better conducted than this was on New-York, and Erie and on Buffalo and State line roads ; should have competent men and not green hands ; cannot say that competent men have been discharged to make place for green hands ; have seen last time tables of G. W. R. W. Co. ; it came out when I was sick, and never made myself conversant with it ; have not known trains to be on time for the last two months ; a good manager could arrange so as to make trains run nearer the time than they do on this Western, and does not see that accidents should occur unless through gross neglect ; there would be less likelihood if trains were more regular ; some two months or later two trains nearly came in collision through irregularity during a fog at Wardsville ; it was understood that freight trains were to shunt there for the express train which was behind time ; usual place of shunting was at Thamesville ; express train met freight train a short distance from Wardsville ; it is usual for trains to give alarm when nearing switches ; if engine drivers and conductors were pushed to the mark, it would be much better ; knows of one instance where an engineer on the road was discharged, and a less competent one put in his place ; witness proposed that whistling posts should be erected ; Mr. Gregory answered that it would be an after consideration, as there was so much to do at the time, was in the employment of the Company up to yesterday ; is not so now ; was dismissed merely to reduce the expense of the road, and has the best of recommendations from chief engineer, Mr. Reed ; has never known so many accidents occur on any road in so short a space of time as on this one ;

has not known any railroad half so many persons have been injured taking the length of time on any railway ; was on trains when three accidents occurred ; means by mismanagement, breaking the Company's rules. If a regular Company's watchman had been placed at gravel pit, is witness's opinion, the accident would not have happened ; means by mismanagement, the conduct of the person who has the management of the road ; does not think it possible for the managing director to have cognizance over every servant on the road, especially on long roads ; managing director is greatly to blame if an accident occurs through his appointing an incompetent person ; managing director has a mechanical director under him to judge of the competency of engineers ; has been engaged on railroads for six years ; has been 27 months on the G.W. R.W. ; do not say that Mr. Brydges is incompetent for the performance of his duties ; do not know of any one more competent than Mr. Brydges, but there are some persons in America of longer experience I presume ; does not know of an instance of culpable neglect on the part of Mr. Brydges ; am not competent to judge of Mr. Brydges's competency.

(Signed,) H. W. MITCHELL.

Chatham, 1st Nov., 1854.

THOMAS BURNS, of Tilbury West, in the County of Essex, being duly sworn, sayeth : that he is employed on the gravel pit ; Pine was hired by Mr. Twitchell ; was not present at engagement ; did not understand that Pine was to watch trains.

(Signed,) THOMAS BURNS.

Chatham, Nov. 1st, 1854.

Mr. KETTLEWELL recalled : knows of no instruction were given to Pine ; he never instructed Pine to keep watch for the train himself ; understood from Mr. Pollard that Pine was to watch the night trains ; understood this on the 23rd. Mr. Pollard asked witness if he would come out at 4 A. M. ; witness answered that he would if there was a night train watch kept ; Mr. Pollard said he would instruct Pine to do so ; from 24th to 27th enquired of Pine every morning if trains had passed ; watchman at jobs prevented gravel train twice from going out on express train time ; in answer to a question, produced additional instructions this day, and had the instructions been received on the 24th October would not have gone out on any account, and collision would not have taken place ; have had no conversation of Saturday, or since, with any of the Officers of the Company, concerning witness, not even with regard to his pay ; was arrested by the Company's Policeman, Mr. Neil.

(Signed,) JOHN KETTLEWELL.

Court at this state of the proceedings adjourned until 7 P. M., of the 2nd instant.

E. B. DONNELLY, Coroner.

DR. CHARLES C. ASKIN, being recalled, says : that this man, Mitchell, had both legs fractured ; was called up on Sunday on a consultation, and it was decided to amputate one leg although it was problematical that he would die from the weak state he was in ; I believed that he would die within 24 hours if the operation had not been performed ; had some men employed to make splints

Saturday morning at day light, so that the limbs could be attended to and set as quickly as possible ; in my belief all that could be done with the means that were at hand was done. No ground of charge of parsimony to the G. W. R. W. Co. for their conduct ; tried to get spirits,—tried Friday night,—could not ; do not believe the Company have spared expense to alleviate suffering ; no one was removed from private houses :

Dr. Brown said to Dr. Cross, dont you think that when these patients are made comfortable, three can attend to them ; Dr. Cross answered yes ; this occurred on Saturday morning ; Dr. Huett, of Detroit, came up on the cars with the wounded, and represented himself as surgeon to the Company, and gave up the patients in charge to Dr. Pegley and Cross, so deponent, sayeth : Dr. Brown was at Baptiste Creek, till Coroner's jury returned late at night ; directions given by order of the Company by its Officers were to spare no expense ; not a single person has been removed from a private house ; patients at Town Hall are doing better than in private houses ; reason is, room is large and well ventilated, and have nurses at night, and their diet is regular.

(Signed,) CHAS. J. S. ASKIN.

October 2nd.—Court met as per adjournment.

Dr. Charles J. S. Askin, of the Town of Chatham, in the County of Kent, being duly sworn, sayeth : that he is a regular lincensed practitioner in medecine and surgery ; went down to the scene of disaster of the cars on the morning of the 27th ; satisfied that certain parties were killed from the effects of injuries sustained.

(Signed,) CHAS. J. S. ASKIN.

Chatham, Nov. 2nd, 1854.

C. T. BRYDGES, being recalled, sayeth : heard that express train going West and light evening train going East ; when on the track together have made no enquiry who was to blame, and in this case if on examination any one is to blame, I shall either fine or punish by dismissal ; instructions issued by Mr. Boman and given to Kettlewell were issued by my orders ; if it was reported to Mr. Gregory, that gravel train was running on express train time, it should have been his duty to report to head quarters ; if he had found the driver drunk, it would be his duty to discharge the same ; never had sole management of a Railroad before coming to this Country. By Mr. Scott. Has had ten years' experience in the management of Railroad ; was principal assistant in Secretary's Office through which all the business passed ; am not aware, with perhaps an exception, that the locomotive department is presided over by chief engineer in England.

(Signed,) C. J. BRYDGES.

Chatham, 2nd Nov., 1854.

THOMAS McCRAE, Esquire, of Chatham, in the County of Kent, being duly sworn, sayeth : that he has been Station Master in employment of the G. W. R. W. Co. ; was at depot on the 27th. Light evening Express train passed, going west ; it was behind time ; does not recollect how long trains from West generally run up to time ; trains from the East are not so regular since the alteration in the time table, that is since 23rd October ; attends to trains going west ; this does not apply to all the trains, but more particularly to the night express, before the

new order trains have been several times behind in day time, not very often ; it occurred once in a day time that a train going west had to back into this Station, having met the Earlier train just on the track about one mile from Station ; as to Telegraph being in its working order, is not certain.

(Signed,) THOMAS McCRAE.

Chatham, Oct. 2nd, 1854.

County of Kent, to wit : Information of witnesses severally taken at an adjourned inquest, and acknowledged on behalf of Our Sovereign the Queen, touching the death of J. B. Bodfish, Peter Gallager, and others, now lying dead at the Great Western Railway depot, in the Town of Chatham, Township of Raleigh, and County of Kent, on the 4th day of November, in the year of Our Lord, one thousand eight hundred and fifty-four, before Edmund B. Donnelly, one of the Coroners of the said County, on an inquisition then and there taken on view of the bodies of the said J. B. Bodfish, Peter Gallager, and others, then and there lying dead, as follows, to wit :

PAT PINE, of Tilbury West, in the County of Essex, being duly sworn, sayeth : that the evidence just read to him, and taken before the 1st Jury, is correct ; never was asked before that morning, respecting the passage of trains ; there is no other watchman ; distance from Pit to siding is over quarter of a mile ; does not know who ordered the train out that morning ; is quite sure that driver did not ask him whether the Western Express had passed ; had not tasted liquor the evening before the accident ; had no watch of his own ; had one that night borrowed from Kettlewell ; does not know at what time express train should have passed ; does not know whether regular trains take wood and water ; saw freight train wood there once at Baptiste Creek Station ; ran away, because he was put up to do so by Mr. Pollard ; accident occurred East of Baptiste Creek.

(Signed,) PATRICK PINE.

Chatham, 4th Nov., 1854.

J. A. KETTLEWELL, of Sandwich, in the County of Essex, being duly sworn, sayeth : that it was a general understanding on all the track that the wiper of engine is also expected to look out for trains ; was informed by Mr. Pollard on 23rd October, that he, Patrick Pine, would be instructed to look out for the express trains ; followed instructions of the conductor in going out on the main line ; did not suppose, but felt certain that express train had passed West ; from Pine's information conveyed to witness, from 24th to 27th had been in the habit of enquiring and receiving information from Pine respecting the trains being passed ; Mr. Pine's duty was to wipe engine, and also watch the express trains ; would have thought it dangerous to go out in such a fog as there was that morning had he not been certain from Pine's information to him that the mail express train had passed Westerly ; is answerable for the safety of the train as far as regards the safe running of his engine ; had a time table ; applied to Pine from 24th to 27th for information respecting the passage of the trains ; witness's information from Mr. Pollard led him to believe that Pine was thoroughly instructed in his duty ; is employed by the G. W. R. W. Co., and paid by G. F. Harris ; gets \$70 per month ; Pine is under the employ of Mr. Harris ; the cause of my reporting the conductor was that he had several times ordered the gravel trains out on express train time ; engine was on the Western end of the gravel train, and was so on all occasions ; had no control of train whatever when engine

is in motion ; can regulate speed according to the time table ; does not know where Twitchell is ; have not seen him since Saturday night ; after the accident was asked by Twitchell if my engine was able to go to Windsor ; I told him it was not ; watchmen or wipers are expected to look after express trains, particularly at Ingersol, Lobo and St. Catherine.

(Signed,) JOHN KETTLEWELL.

Chatham, Nov. 4th, 1854.

J. T. NUTTER, of Stamford, Canada West, being duly sworn, sayeth : that he understood on all the road, express train is to have the track. Traffic Superintendent is Mr. Muir. 'Tis not the duty of express trains to notify gravel pit train that they are late ; if had been on time, should have passed gravel pit at 10.20. on the evening of the 26th. Our instruction is not to run through a Station yard at a faster speed than 15 miles an hour ; gravel train men should have been taught by reason not to be out on such a morning as that ; morning was densely dark and foggy, could not see one rod ahead ; was not aware that the gravel trains were in the habit of being out on main track at that hour on any morning ; if the rules of the Company were strictly followed, there is no danger of any accident occurring beyond ordinary casualties such as every line is liable to. One watchman is better than two ; any conductor using the Company's track has no right to deviate from Company's rules, unless by order from Mr. Muir or Mr. Brydges collectively, and not to obey in such case Mr. Harris, his Superintendent, or any other person connected with the Gravel Pit or Railway.

(Signed,) J. T. NUTTER.

Chatham, 4th Nov., 1854.

THOS. C. GREGORY, resident engineer on West End of G. W. R. W., and residing at Windsor, County of Essex, being duly sworn, sayeth : that gravel train had been down to the Ruscome, and driver complained to me that being delayed there a little too long had to run his engine too fast to get out of the way ; was not aware there was a watchman at the gravel pit ; the conductor is responsible, and should have taken means whether express train or trains have passed ; the duty of Pine were of that kind not known to the Company, as they do not recognize him ; conductor is the responsible person ; as far as deponent is aware, there is a sufficient number of watchmen to guard against danger on his division ; can see light of engine about ten miles on a favorable night ; driver had complained to deponent that in case of gravel trains at Ruscome River, and alluded to above the train had been running too close upon express train time.

(Signed,) T. C. GREGORY.

Chatham, 4th Nov., 1854.

Considers proper means were taken to secure the safety of the passengers.

(Signed,) T. C. GREGORY.

THOMAS MASON, of Tilbury West, in the County of Essex, being duly sworn, sayeth : that Mr. Twitchell did not say to witness that Pine had led him astray ; witness had a watchman on cutting when he works on Sefton's cut, near London, one for the day and one for the night, also a flagman in Sefton's cut ; there is danger of stones rolling on the track ; when deponent worked the ballast pit he worked only by day light ; if there was no danger of stones or other obstructions falling on the track on Sefton's cut, there would be no necessity of deponent's

keeping a watchman ; contractor now working at ballast pit, and whose cars go out before day-light at 4 o'clock or thereabout in the morning, should have a watchman to watch the express trains ; if deponent had charge of the same pit and was in the habit of starting out before day-light, he certainly should have one ; am acquainted with ballast pits on other parts of the road, but they run only by day-light ; if Mr. Harris had thought proper to appoint a watchman at his ballast pit on Lake St. Clair, or if his Superintendent had done so for him, has no doubt but what the Company would have paid said watchman as the Company had always paid deponent under similar circumstances.

(Signed,) THOS. MASON.

Chatham, 4th Nov., 1854.

J. C. BRYDGES, of Hamilton, in the County of Wentworth, being duly sworn, sayeth, that Mr. Pine is not in the Company's service, and not paid by the Company ; am not aware that Pine had been appointed ; Contractor is allowed to run trains only in accordance with instructions laid down in book for guidance of Officers ; an Engineer or Driver has no right to obey a Conductor, if he is doing so, entails a breach of the Company's rules ; since the accident, have issued orders that no gravel train shall in future run at night or during a fog ; Conductor of gravel train should not have run out that morning or any other morning if express train had not passed ; if first rule for guidance of Conductors and others had been followed out, this accident would not have happened ; did not give orders to Dr. Brown to remove the sick from the National Hotel or from private houses—the only orders given by deponent were that the sick and wounded should have the best possible care ; Mr. Kittlewell was wrong in going out if he had the slightest idea of meeting a train—orders to Conductors and others are not to go out, but keep the safe side when there is any doubt ; management and hiring men at gravel pit is the province of the Conductor ; Mr. Harris mentioned to Deponent that there was a Watchman at the ballast-pit, and, wherever they were necessary, were appointed at the expense of the Contractors ; if Conductor at gravel pit had complained that he was not assisted sufficiently by Watchmen and other subordinates, his complaint would have been noticed.

(Signed,) C. J. BRYDGES.

Chatham, 4th Nov., 1854.

CHARLES H. WOOD, of the Town of Chatham, in the County of Kent, being duly sworn, sayeth, that as soon as Dr. Brown came to Chatham there was an improvement for the better in the general aid and attendance to the wounded ; Dr. Brown did his duty as far as possible ; saw Mitchell at the Town-Hall ; saw the medical men in the room busy in giving their attention to the wounded ; some medical men from Detroit took a part in the care of the wounded, which somewhat unhinged the working of the medical men of the neighborhood ; said medical man represented himself as the medical man in charge for the Company ; as soon as the confusion attendant at first was over, the wounded were well supplied with attendants ; thinks that on the part of the Company no expense was spared to make the wounded comfortable, and that the Citizens generally were particularly kind in their attention, and many offered their houses for the reception of some of the wounded ; some party asserted that Mrs. Gleddon had been neglected, and, as far as my knowledge extends, she had all the attention her case called for ; under circumstances, from the number of fractures, it necessarily required a great num-

ber of splints, boxes and conveniences for dressing wounded, and this could not but take up some time to prepare ; on Friday night the wounded were somewhat neglected ; Deponent brought Mr. Berryman to the National, and he rendered all the assistance he could ; heard Dr. Cooper's name mentioned ; saw Dr. Cross dressing one man at the Town-Hall—judged from that he was in attendance ; Dr. Ironside called and prescribed for one patient at witness's request ; thinks the medical men of Chatham might have made themselves more useful than they did on Friday night ; only included the medical men who were in town that evening.

(Signed,) CHAS. H. WOOD.

HENRY C. R. BEECHER, of the Town of London, in the County of Middlesex, being duly sworn, sayeth, that acting under instructions from Mr. Brydges, given about a year ago, Deponent proceeded by express train with Dr. Brown to the scene of disaster, and did not return until late at night, between eleven and twelve o'clock at night (to this place) ; that he induced Dr. Brown to accompany him to the scene of accident ; being informed, upon his arrival here, that there were more wounded out there without medical attendants, this was the cause of Dr. Brown's absence from Chatham until late that night (that of the 27th Oct.)

(Signed,) HENRY C. R. BEECHER.

Chatham, 4th Nov., 1854.

At this stage of the proceedings, the testimony was closed, unless other important evidence should be offered.

E. B. DONNELLY, Coroner.

FRANZ ERCKENBUSEN, of Tilbury, West, in the County of Essex, being duly sworn, sayeth, that he has been a Watchman at Gravel pit ; his duty was to clean and wash engine ; had nothing else to do but fire up engine in the morning ; it was not his duty to watch express train ; nobody ever asked him whether express trains had passed ; knows Pine ; he came in my place when I was sick ; he had nothing more to do than I had ; does not know that Pine was ordered to watch the express trains ; in summer, trains go out at six o'clock ; has no watch ; there was no Watchman to watch the trains ; never saw Pine drunk ; there is a tavern close by higher up ; thinks that if Pine was hired to watch the express trains, that he would have done so ; does not think Pine would tell a lie ; never heard him tell a lie.

(Signed,) FRANZ ERCKENBUSEN.

Chatham, 4th Nov., 1854.

DANIEL MORAU, of Tilbury West, being duly sworn, sayeth, that he is the person who pumps water in the tank at Baptiste Creek ; switch is locked sometimes ; each engineer has a key and can unlock it ; heard a whistle, and immediately the noise of a collision ; knew at 12 o'clock at night of the 26th that express train had not gone West ; gravel train switched in about one week before, and alarmed switch ; Deponent got up, and, after making some objections, gave them water.

(Signed,) DANIEL † MORAU,
his
mark.

Chatham, Nov. 4th, 1854.

COPY.

WINDSOR, 17th February, 1854.

DEAR SIR,—I am pretty nearly worn out. I have been for the last three or four weeks working night and day ; the closing so many matters and starting the new mode of payment, &c., for this division, has made an enormous amount of work, which must be got through. The bills, &c., that have passed through my hands, all in small, will be little less than £12,000 at the end of the month ; whether I will be able to clear my own money, for I have used it freely when required, will be a matter of doubt. When I get matters set right, which I hope will be in a day or two, I will visit on foot every inch of my division, and it will not be my fault if I do not make things right as to sidings and a good road.

I was yesterday in Detroit, and dined at the National, and, as usual, heard a parcel of Yankees blowing off about the management of our road. I suppose they did not know me ; but I said gentlemen, you knew the former Chief Engineer for the State of New York, Mr. McAlpin, the highest authority in the State on Railways ; at his report to the Legislature respecting the Railways in the *Empire State*, he says that very few, if any, new roads ever opened on the Continent made more than ten or fifteen miles an hour for three or four months after opening, and many lines, when any accident occurred, was closed for a week or three or four days at a time. You find fault with the G. W. R. W. We opened in the dead of winter under great disadvantages, and are running from the first nearly twenty-five miles an hour, a higher speed than many of your old lines. We have had a few delays, but not more than common to your Railways, and no accidents, and I fear that you are either Southern Railway Agents, or your national prejudices prevent you from seeing the true side of the question. I at once shut them up, and the bystanders said it was all true, and I have the testimony of many gentlemen in Detroit that your road is the best managed on the Continent, and every person very civil. I believe there is an article in the Detroit papers about it, but I did not see it. I hate to hear slanders, and if you will only give me leave, I will write an article in the Detroit papers that will shame some of our detractors. I am like Burns' Captain Grose : altho' I say nothing, I take notes.

Excuse this scrawl, but I write in haste, and believe me

Yours very truly,

(Signed,)

WILLIAM SCOTT.

C. J. Brydges, Esq.,
&c., &c., &c.

 NOTICE.

18th March, 1854.

NOTICE TO GRAVEL TRAIN CONDUCTORS.

On Monday first, and during the next few days, the *through* Freights between Niagara Falls and Windsor will be discontinued, and the Conductors, in working their gravel trains, will please observe the following regulations :

That they may with greater regularity and safety use the Main Track, it will be necessary that they have their watches set to Hamilton Station time, which time they can obtain at the Stations, or from the Conductors passing Hamilton.

They shall provide themselves with two sets of signal flags, two hand signal lamps, and a proper supply of oil, waste and wick.

Before leaving the siding to come upon the Main Track, they must satisfy themselves of the exact length of time they can use the Main Track without being in the way of a Train coming from either direction, and act accordingly, always bearing in mind that they must not upon any account be upon the Main Track within fifteen minutes of a Train being due, and the time shown in the accompanying Table shall be their guide.

When upon the Main Track, and immediately upon the Train being brought to a stand, they shall despatch a Signaller in each direction, for a distance of not less than 600 yards from the Train, with the proper signals, and, before doing so, shall see that they thoroughly understand them all. Three sharp whistles from the engine shall be the signal for recalling them.

They shall be at liberty to bring their Trains upon the Main Track on the time of a Freight Train being due, after such a Freight Train shall have been due half an hour late, but, before doing so, they shall despatch their Signaller to a proper distance, so as to have their Trains sufficiently protected; *and in no case, except at the Stanton cutting, shall they leave their siding on the time of a Passenger Train, however late it may be.*

At the Stanton cutting they shall only use the Main Track when a Passenger Train coming East shall have been half an hour late, and before coming on the Main Track shall use the precautions before mentioned.

When making for the siding, to be clear of a Train due from one direction, their attention is especially required to see that they run no risk of meeting a Train advancing from another course.

(Signed,) C. J. BRYDGES,
Managing Director.

COPY.

GREAT WESTERN RAILWAY,
ENGINEERING DEPARTMENT,
WINDSOR, Oct. 14th, 1854.

MR. TWITCHELL,
Conductor of Ballast Train,
Plains.

SIR,—I have to request that you do not run on Express time, but be off the Main Track *twenty minutes before it is due, and remain so till it has passed.* Any transgression of this rule will be reported me, and will call for a demand on my part of your removal.

The whole weight and responsibility of any accident that may happen from a transgress of this will fall upon your shoulders.

I am, Sir,

Your obedient servant,

THOS. C. GREGORY,
Resident Engineer,
W. D., G. W. R.

VERDICT.

From a collision which took place on the Great Western Railway track, near Baptiste Creek, in the Township of Tilbury East, in the County of Kent, on the morning of the 27th October, between the Mail Express Train of Cars, drawn by

the engine or locomotive called the Reindeer, going West, and a gravel-pit Train of Cars loaded with ballast, and going East, propelled by the steam engine or locomotive called the St. Lawrence; and that *We, the Coroner's Jury*, after due deliberation, find that said collision was caused by *D. W. Twitchell*, Conductor of said gravel-pit Train of Cars, violating in a gross manner the rules and regulations of the G. W. R. W. Company, by causing said gravel-pit Train of Cars to go out on Main Track during Mail Express Train time; and *We, the Jurors*, do further find the said *D. W. Twitchell* guilty of Manslaughter; and furthermore find that *J. Kettlewell*, the Engineer or Driver of the said gravel-pit Train engine St. Lawrence, has violated the rules laid down and given him for his guidance by the G. W. R. W. Company, by driving his engine out on the Main Track during Express Train time; and we find said *J. Kettlewell* guilty of Manslaughter, but in a less degree, from his having gone out by direction of the Conductor of said gravel-pit Train, *D. W. Twitchell*. The Jury is also of opinion that the G. W. R. W. Company is censurable in not causing proper Guards and Watchmen to be placed at all points where there are crossings and sidings, but especially at ballast-beds or gravel-pits, where locomotives are placed, and where there is danger of collisions taking place; and are furthermore of opinion that G. W. R. W. Company are at fault in not having had a rule preventing gravel-pit Trains from running upon their road during foggy weather and severe snow storms, which prevent persons discerning objects unless in immediate proximity to the same. The Jury are furthermore of opinion that all Officers of the Company, Watchmen especially, should be directly under the appointment of the G. W. R. W. Company's chief Officers. The Jury furthermore remark, that a double track would materially enhance the safety of Travelers, and almost preclude the possibility of collision.

CHARLES JOHN BRYDGES, of the City of Hamilton, Esquire, being duly sworn, deposes and says: That he is Managing Director of the Great Western Railway, situated and operating in Canada West. The said Railway extends from the Suspension Bridge, near the Niagara Falls, to Hamilton, and from thence to London and Windsor. The length of this road is 229 miles. A branch road extends from Fairchild's Creek to Galt; the length of this branch is twelve miles. The Deponent has been in this country for nearly two years; came out to this country in the capacity of Managing Director, having been appointed to that office by the Board of Directors; was not originally elected by the Stockholders, having been appointed by the Directors in the interval between two Annual Meetings, but was appointed in consequence of an expression of opinion on the part of the Stockholders that such appointment should be made, and the appointment has been twice ratified by them since at General Annual Meetings; he had been at the time of his appointment for ten years connected with Railways; for the first five years was connected with various offices on the London and South Western Railway; latterly, that is to say for the last five years, filled the situation of Assistant Secretary to the London and South Western Railway; at the time or about the time of his coming out to Canada in his present capacity, the Board of the London and South Western Railway offered Deponent the situation of Secretary and Chief Officer then vacated by its incumbent Mr. Harding. The duties of Deponent as Assistant Secretary consisted in attending meetings of Committees of the Board, taking and keeping minutes of the same, and in assisting

the Secretary in attending to the details of the various departments. During the time that he was Assistant Secretary, this Deponent became acquainted with the practical management of a Railway. His experience was thus obtained. In England the whole Board of Directors takes an active part in the management of the enterprise, both in its practical working and in its financial concerns, and is subdivided into Sub-Committees for that purpose, that is to say : A Traffic Committee, Locomotive Committee, Way and Works Committee and Finance Committee. The duties of the Traffic Committee embrace arrangements both for passenger and freight traffic, the establishment of fares for passengers and rates for freight, making regulations for the accommodation of passengers and the reception and distribution of freight, the preparation of tickets. All appointments of officials at stations and of persons employed and connected with passenger and freight traffic are made by this Committee. It includes also the appointment of conductor or guide. The Locomotive Committee superintends the providing of motive power, including all cars and vehicles which run upon the road, all the men and material necessary to carry out the running of the road, also the management of the machine shops. The employment of engine drivers and firemen and mechanics generally rests with this Committee, but is practically left with the Superintendent of the Locomotive Department. The Way and Works Committee superintends the whole track and all the buildings thereupon, the maintenance of proper fencing on the line, and repairs of all descriptions to track and buildings and structures thereupon. The Finance Committee presides over the financial arrangements of the Company. There is also on many roads, as there was upon the London and South Western Railway a Store Committee delegated to provide stores for the use of the Company, such as iron, steel, nails, tools, oil, grease, waste, lamps.

Deponent considers his experience to have been derived from his discharge for five years of the office of Assistant Secretary to these Committees, and as having been the recipient of their orders and instructions and the organ for communicating the same to the parties employed in carrying them out. As a proof of the opinion entertained by the Board of the extent of his experience, he was offered the situation of Traffic Superintendent which he declined, because the Secretary thought him more useful in his capacity of Assistant Secretary. In this capacity he was frequently asked his opinion in questions of doubt, and also required to investigate in like cases, his reports being received and opinions frequently adopted by Committee. His experience therefore is rather derived from his casual interference with the foregoing details under the instructions of these Committees than from the practical exercise of any authority or superintendence equivalent to that of Traffic Superintendent. His present duties on the Canadian Great Western Railway involve all the duties which in England devolved upon all the Committees hereinbefore mentioned, as appointed on the London and South Western Railway, with the exception of the Finance Committee. His present duties embrace all matters connected with the local administration of the road, the making and enforcing of orders and instructions, and the power of appointing and discharging all subordinates ; should not discharge such Officer as Engineers, Secretary, Traffic, Locomotive and Freight Superintendents, without the sanction of the Board.

The Locomotive Superintendent on the Canada Great Western Railway is Mr. William Bowman, an Englishman. He was in the mechanical department of the London and South Western Railway, when Deponent was in employ of

the Company ; has been about eighteen months in this country. Mr. Bowman superintends the machine shops, of which there are two, one, the principal shop, at Hamilton, another, of a secondary character, at London. The Locomotive Superintendent has the appointment of mechanics, engine driver and firemen. He also appoints four running foremen, one stationed at Hamilton, one at London, one at Windsor and one at the Falls. These men are not necessarily mechanics ; believe that two of them are so. Their duty consists in seeing that the locomotives are fired up at the proper time and leave the shop properly cleaned, oiled and provided. It is the duty of these men to see that the engines are properly supplied with wood and water before going out of the shop. There are also two mechanical foremen, one stationed at London and one at Hamilton. The duty of these men is to inspect every locomotive as it passes the station and see to its security and efficiency. We keep, when practicable, four engines in steam, one at the Falls, one at Hamilton, one at London and one at Windsor, to supply the place of any engine that may fail. The engine drivers are some of them, should say the majority of them, English and Scotch, some Americans ; will furnish a list of officials showing where they come from.

The Traffic Superintendent is Mr. William Muir. He is a Scotchman. He was brought out from Scotland by the Company ; had been Assistant to the Manager of the Glasgow and South Western Traffic Department, and had also been engaged on the York, Newcastle and Berwick Railway. He superintends the conductors, brakemen, station-masters, switchmen, and at some stations booking clerks, ticket clerks and porters. The labour employed upon freight appertains to the Freight Department. The Traffic Superintendent can neither appoint nor discharge any of the officials under him. He reports transgressions to the Managing Director who acts upon such reports according to circumstances. He could suspend any subordinate he might find intoxicated at once. This Deponent has had occasion to discharge many men for intoxication. The punishment of intoxication is immediate dismissal ; the rule is peremptory, and is rigidly carried out. The persons who would be considered to be especially liable to this rule would be conductors, engine drivers, switchmen and brakemen ; does not consider the rule to be as imperatively applicable to other employees whose occupation does not involve like or equal risk. The Traffic Superintendent controls both freight and passenger trains.

The Freight Superintendent is Mr. David Chapman. He came from England with letters to this Deponent from Directors and other leading gentlemen of the Great Western Railway Company, and has been recently appointed to the above office. His duty consists in the receipt, transmission and distribution of freight, and in this view he has the superintendence of all hands employed in handling freight, such as freight agents or clerks, warehousemen and freight porters ; has no power to appoint or discharge his subordinates, but reports and refers all cases of misbehaviour to the Managing Director.

The Secretary is Mr. William C. Stephens. He is from England. He has recently arrived and succeeds the late Secretary Mr. Baker, who proceeds to England to take the place of Secretary to the London Board. His are the ordinary duties of a Secretary ; interior—having nothing to do with external matter.

Mr. Brydges, on the question being put to him in relation to the duties of subordinates, produces a book of rules and regulations such as have been in force since the opening of the road, adding, that a new code of regulations was in progress of printing and would be shortly issued.

The Great Western Railway was opened from Hamilton to the Suspension Bridge on the 10th November ; from Hamilton to London, on the 21st December ; and from London to Windsor, on the 27th January, 1854. The Galt branch was opened on the 21st August last past. The Great Western was commenced about ten years since, but the works had been interrupted up to about the year 1850, but have been pushed continuously up to the time of opening. It was opened with reluctance by those concerned in the road who felt that the opening was premature and in fact prejudicial to all the interests concerned, even to the best interests of the public ; but the public pressure from without was irresistible. The Directors were compelled to yield to the popular cry. Some, but very little of the road was ballasted at the time of opening. On the eastern division from Hamilton to the bridge little was done. On the central division about 18 per cent of the distance or twelve miles in 75 were more or less ballasted. On the western division there was very little done in the way of ballasting, not more than five or six miles. The eastern division is $43\frac{1}{2}$ miles. The central division $75\frac{1}{2}$ miles, and the western division 110 miles in length. The bridges at the time of the opening of the road were all complete, some of the embankments were incomplete, it was necessary to employ trestle work for the temporary purpose of running the road and to aid in filling, The tops of many of the embankments were narrow and generally in an unfinished state ; of the fencing at the time of opening, a great deal was incomplete. The road crossing of high road was not finished. Many farm crossings had not been made. The culverts were all finished. Those east of Lobo are of brick or stone. Between Lobo and the west, the culverts are of wood.

Examination continued 22nd November, 1854.

At the time of opening the road it was very insufficiently supplied with buildings at stations, and the public who were loudest in demanding the opening of the road were the first to complain of the want of accommodation ; the wooding stations were numerous enough and sufficiently well supplied, but the watering stations were insufficient, the sidings were limited but have been considerably increased since ; Refer to report of Directors to Shareholders of the Company presented on Friday the 29th September, 1854, as containing all information as to the present condition of the road on the above point. At road crossings on levels the Company have no road signs ; the law does not compel the Company to put up such signs. A good many of the road crossings as well as farm crossings pass over the railroad, some under the road ; the deponent will obtain detailed information as to the number, and will furnish the same to the Commissioner. The locomotives of the Company are not supplied with bells, do not therefore ring in crossing these high roads on a level, use the whistle instead. Have no signal men with flags at such crossings, except in two or three instances where the Company have erected level crossing gates. The Company have been desirous of putting up guard gates at level crossings which are much frequented and whereat the public are exposed to danger, but they have been opposed by the municipal authorities and road Companies, and have been unable to obtain authority to that effect from the Legislature although applied for.

The rules of the road for the governance and guidance of the servants of the Company are contained in a red book already furnished. They are the rules up to the present time. A new code of rules is just about being issued. Under orders of the Traffic Superintendent, the conductor have each the charge of his own train. His time is regulated by his time table, and the period of arrival and

departure is governed by himself. No deviation from this rule takes place except in extraordinary cases when the Station Master may have received telegraphic intelligence of something wrong on the line or delay in other trains. He then informs the conductor, who acts accordingly. The Station Master had formerly the command of the trains, but this system has been abandoned for some months. The Deponent here puts in a copy of time table with instructions annexed, which has been and is still in force since the 23rd October, 1854. The Engine Driver, Fireman and Brakesmen of the train, are under the order of the conductor except when those orders are contrary to instructions as contained in time table or book of rules. The Switchman at stations is under the order of the Station Master. Switchmen are also maintained at certain sidings used to facilitate traffic between established stations. A person is specially employed by the Company to inspect all switches on the line, to see that they are in repair, and properly provided with every requisite. His name is Kitching. The switches at gravel pits are attended by men appointed by the Company but paid by the contractors. All the switches are provided with locks and keys and are so constructed as to notify danger, if wrong, by lamp and signal. Lamps at night and signal by day. At stations and sidings where work is going on both by night and by day, Switchmen are employed for each service, one for night and one for day.

The locomotives on the line amount to twenty-eight in number; none of them are provided with bells. Some of them are provided with the large American lamps, some with a double lamp or two small lamps placed one on each side of the frame of the engine, both being clear lights. The Company have at times had many of their engines under repair; have about six in the repair shop; many springs were broken and much damage done to locomotives generally at first by the roughness of the road. Have had but one engine burnt out, that is to say the tubes burnt out by an act of gross carelessness in the driver in not keeping his feed pipes in proper operation; ascribes the damage of engines partly to the roughness of the road, partly to the insufficiency of material, and in a few instances to the carelessness of the persons in charge. A majority of the engine drivers are English and Scotch, not imported by the Company; does not believe the Company have imported half a dozen. Many of these men have been occupied in the United States as engine drivers, and have come on to us for employment; will furnish a list of them as soon as it is prepared. Engine drivers have no regular monthly salary, but earn according to the work they do, getting so much for the trip and so much for extra time, making on an average 70 dollars more or less. Firemen are paid upon the same principle, according to the work they do; they earn from 30 to 40 dollars per month. Switchtenders and brakesmen get regular salaries, about 30 dollars a month. The cleaners of engines are not called "Watchmen" in the shops of the Company. They get a dollar per diem. The cars of the Company, passenger and freight, have been built by different makers; the old or original stock was furnished upon insufficient specification, and are by no means so strong as those since made and now making. The first class cars are like the best description of American cars, provided with cushions, lamps and stoves. The second class cars are furnished with stoves and one light in each car. All have windows of glass. Each train of passengers is always preceded by one, two or three baggage cars, divided into compartments and occupied by baggage, Post Office or express, as the case may be; three cars intervene between the passenger cars and the locomotives and tenders. A passenger car is attached to the rear of certain of our freight

trains for the accommodation of way travel principally. These trains are denominated "Mixed Trains." Have not had a sufficient supply of second class cars to accommodate emigrants during the past summer, and have in consequence been compelled to despatch them in freight cars, generally speaking separate from their luggage, but sometimes they have gone together with their luggage. The Company does not profess to convey emigrants going west to Windsor in such time or way as to ensure connections at Windsor or at Detroit with the Michigan Central Railroad line. Two express trains in the twenty-four hours run through professedly to make connections east and west, that is to say, two trains each way. At one time, namely, in September, the traffic having largely increased, made these connections badly; the same continued in October when the traffic was so great that the trains had on seventeen or eighteen cars, but they have improved latterly; make connections now five times out of six; will furnish a list of connections as made since August last.

No rules had been made prohibitive of or regulating the running of trains in fogs or snow storms, nor before daylight in the morning. Since the occurrence of the accident at Baptiste Creek, rules have been made providing against like contingencies with regard to gravel trains.

Here Mr. Brydges produced a Schedule of the accidents which have occurred on the Great Western Railway since it opened for travel and traffic, taken from the accident book of the Company.

Where any of the accidents, given in this Schedule, have occurred from the disobedience of order or the culpable remissness and inattention of officials, such officials have been either dismissed or otherwise punished. The case of the Norwegians detained at Baptiste Creek, in the beginning of July last, (the 2nd July,) is not included in the above Schedule, as not falling within the category of accidents. The train containing these emigrants was the day express. Unfortunate circumstances interfered with the operation of the road at this particular moment. The tressle work and embankment at the Desjardins Canal Crossing had settled. The track was consequently thrown out of line, and for ten days it became necessary to disembark both passengers and freight at each side and exchange cars. On the night of Friday, the 30th June, these emigrants reached Hamilton, and on the following morning were sent by car to the Desjardins Canal Crossing, and there transferred to other cars in which they were transported to Paris, and from thence, on the same day, were conveyed onwards to Windsor. Five cars full of emigrants were despatched on Saturday morning from the Desjardins Canal Crossing to Paris, two being second class passenger cars and three freight cars. The two second class passenger cars were sent on by the day express; the three freight cars were detained at Paris and were sent on by the night express. The day express, with the two second class cars, reached Chatham 7-10 P. M. and left Chatham at 7-45 P. M., reaching Rochester about 9 P. M., perhaps a little before. They there encountered an engine which had got off the track at the switch and had been off some hours. At this point and time the night express proceeding east met the day express proceeding west on either side of the interruption. The respective conductors agreed to exchange passengers, but the second class passengers of the eastern train were not changed because there were no second class cars to take them on to Windsor, and also because there were only sufficient cars to accommodate the first class passengers. In consequence of the engine being in front of the train, the whole train had to be backed or pushed back slowly to Baptiste Creek, about 14 miles.

At Baptiste Creek the engine was, by means of the siding, placed on the front of the train still running backwards, and as it was found that the supply of wood and water on the engine was not sufficient to admit of the whole train being conveyed back to Chatham, the two passenger cars and most probably a freight car containing the baggage of the emigrants were shunted on the siding at Baptiste Creek in expectation of the arrival of another train going west, namely the night express, due in about six hours afterwards or at 7 A. M. of the Sunday morning. A brakesman was left in charge of these cars. The due train had order to take the emigrants on, that is to say the night express proceeding west which had left Paris at bringing on the three Freight Cars containing Emigrants which had been there left as before stated. This train proceeded on to London where it stopped 16 minutes, during which time the Emigrants were supplied with water and two sick Emigrants were taken out. It was again detained at Chatham twenty-one minutes also to supply the Emigrants with water. This train was in fact detained seven hours beyond its time, partly by the break at the Desjardins Canal and partly by the accidental break at Rochester, which, by delaying the trains going East in a corresponding degree, delayed the trains going West. This train arrived at Baptiste Creek about 2-30 of Sunday, took on the two second class Cars of Emigrants and Freight Car of baggage at Baptiste Creek, and arrived at Windsor about 4 P. M. The Company Servants appropriated a building of the Company, known as the Red Store, to the use of those who were sick as well as of others who arrived subsequently under like circumstance. Does not recal the name of the Conductor of the train which conveyed these Emigrants back to Baptiste Creek, but Mr. Chapman, the local Superintendent, was on the train, and it was by his order that they were left. Mr. Chapman, seing the delay of the train going West, might have telegraphed to Windsor for a Locomotive, but the Telegraph is not in operation on Sunday.

No mention is made of the collision which took place between the Light evening Express and the Freight Train on the evening of Friday the 10th instant, as the statement had not been brought up to that time. The circumstances of this case are as follows : On the arrival of the mixed train from the West at Chatham at 5-20 on the evening of Friday the 10th instant, Deponent was at Chatham station. The Station Master represented that the Lightning Express was an hour late, and asked if the mixed train had not better go on to Thamesville siding. Told him the mixed train might go on, on making proper telegraph communication to Wardsville. The Wardsville station Master was consequently instructed to direct the Express to proceed on and await the Freight Train at Thamesville. This message the Wardsville Station master altogether failed to deliver. Finding that the freight train had been delayed at Chatham some fifteen minutes, ordered telegraph message to be sent to the effect that the freight train would remain at Chatham, but finding further that the Wardsville operator did not answer, countermanded the order and directed the freight train to proceed, relying, first, upon the station master at Wardsville doing his duty and delivering the first message, and, secondly, upon the time being quite sufficient either for the express train to have reached Thamesville tiding, having received the message, or not having received the message by not having reached Wardsville—then that there would have been, as before said, ample time for the mixed train to have reached Thamesville. The idea of sending the second message, to wit, the one which did not reach its destination, was not suggested by any apprehension that the first

would not be acted upon or reported by the station master. His name was McFarlane ; he has since addressed a letter to deponent admitting that the error was his, and has been suspended, and will be removed from the Wardsville station.

Upon the face of the schedule of accident, appear four involving, in various degrees, loss of life and personal injury. The first occurred on the second day of June last past, two miles east of Lobo. This occurred from the fact of a cow having got upon the track, the track being on an embankment of from thirty to forty feet. The locomotive and tender passed over the cow, a freight car, second class passenger car and first class car were thrown off the track—the freight car contained certain Norwegian emigrants and their baggage. The freight car was hurled to the bottom of the embankment, the truck of one of the other cars falling on the top of it crushed it, and five of the inmates were killed ; one American was killed by jumping of the front of the second class car ; he got under the wheels. The fences had not been put up, which admitted the cow on to the track. Thomas Horton was the engine driver. There were no defined instructions to driver with respect to stray cattle. They were expected to pull up if they could and to take every precaution in avoiding them. Caused an inquiry to be made into the cause of the accidents at time. Did not ascribe any blame to Horton. He was not therefore in any way punished. He is one of the best and steadiest driver the company has. It was usual, indeed at that time, it was absolutely necessary to use freight cars for the conveyance of emigrants. They indeed preferred it from the greater convenience of being near their luggage. In this particular instance the freight car was destined for Windsor and had on board two passengers for London, Irish, the only persons in the car who could speak English, who exclaimed at Chatham that they had been brought beyond their destination, which led to the conductor, Matthews by name, without further enquiry from the inmates of the car, to cut it off and leave it on the siding at Chatham. The station master and porter at Chatham, still more negligent, without enquiry from the occupants, directed the conductor of the train going east, to take this car back with him to London, and while on the way that accident occurred. Matthews was suspended for ten days as a punishment for his carelessness. The station master at Chatham was fined a week's pay, and the baggage master was discharged.

The second accident now more especially referred to, occurred on the twenty-seventh day of June at a place about a mile west of Princeton station between Woodstock and Paris. The accident arose from the carelessness and disobedience of orders of a foreman of a section gang named Beamer, who was charged with the construction of a cattle guard, which is done by digging a square hole across the track ; to do this it is necessary to remove a rail on each side of the track for the purpose of putting in a stringer or longitudinal bearing. His orders were before he commenced work to fix a red flag, being a signal of danger, eight hundred yards on each side of the spot where he was at work, on no account to allow the rail to be in an insecure state when the train was due, and not to touch it until a due train was past. He violated all these orders. He sent out no flags or signals, and he did not commence to touch the track until the train was half an hour due. The consequence was that the day express going east, which had lost an hour at Windsor waiting for the train of the Michigan central, ran into the gap in the bank, and the locomotive, tender, baggage car and two first class cars were thrown down the embankment. Two passengers

were killed and six injured, all first class passenger. An inquest was held at Woodstock, Dr. Turquand being the coroner; the jury considered the accident to have occurred through Beamer not having attended to his instructions, but that the driver was also at fault in not having shut off steam earlier. Does not consider the driver to have been in any way to blame. Inquired particularly into the circumstances, and caused Beamer to be brought before the Magistrate of Woodstock, by whom he was committed for manslaughter. He was tried and acquitted in the face of a very strong charge against him by Chief Justice Robinson.

On the 6th July another accident occurred near Thorold, at the Welland Canal, about two miles east of the Saint Catharine Station. It occurred at night to the night Express Train going west; two horses were on the track; the night was dark, it was about midnight. The engine, tender and baggage car passed over the bodies of the horses; the third vehicle, a second class passenger car, got off the track, slewed round, so that the car next behind rushed into it. Seven persons, all Norwegian Emigrants, five adults and two children were killed. The Engine had head light; does not know if, the large American light, or English lamps. No blame could be ascribed to the driver of the Engine. The fence were good at this place, but the horses got in at a road crossing at which there was no cattle guards. The Coroner held his inquest at Thorold; the verdict was to the effect that the deceased had been killed by the train running over two horses, and attended by a recommendation to the Company to complete the fence over the line.

The fourth and most fatal accident was that which occurred at Baptiste Creek on the morning of Friday the 27th November; it was a collision between the mail train going West and a gravel train which had left the gravel pit before dawn in a fog *and against order*. The Deponent says that the main circumstances of the accident are accurately detailed in a transcript of the evidence taken at two inquests held before the Coroner at Chatham, which has been communicated to him. By the contract of the Company with the gravel contractor he engages to supply and distribute the material, the Company furnishing motive power and car. It is agreed that the company shall nominate the conductor of the gravel train, the driver and fireman of the engine, and the switchman at the switcher. *They were in fact appointed by, and the servants of the Company.* The conductor had been provided with instructions and rules for the running of gravel trains. He had in his possession the Red Book of Rules; the time Table with instruction, bearing date 23rd October, and a copy of instructions bearing date 28th March, 1854. These instructions had been upon two occasions given to Mr. Harris for the purpose of being communicated to the conductors of gravel trains, and deponent has every reason to believe that Harris did communicate them to this conductor, D. W. Twitchell; of these instructions copies are now deposited, lettered A and B. Twitchell the conductor of the gravel train, Kettlewell the engine driver, the fireman and switchman were appointed by the Company. Does not know the name of the fireman or the switchman. Believes the switchman to have been there. Does not know that he was sick or absent. If sick or absent, it was the *duty of the Conductor* to have appointed a proper person in his place. Does not consider the switchman to be called upon to report trains day and night. A man cannot do the work night and day. Considers that it was the duty of the Conductor to have ascertained before going out where the trains were. Although there were no positive rules against going

out before daylight or in a fog, still common sense should have taught the Conductor never to have gone on the main track on such a morning as the one in question. Mr. Harris, the contractor, was enjoined by the Company and it was supposed that he did take every precaution by hiring proper men to protect the track as well as the plant of the Company. He, in fact, paid all the men employed in the gravel pit for whatever purpose employed. He hired the wiper or cleaner of the locomotive, also called a watchman. Does not know what instructions this man had received to watch for or report the passage of trains at night. I believe that the switch at the gravel pit is supplied with lock and key, and with a lamp which ought to have been regularly lit up at night, and so maintained during the night by the man in charge of switch. On or about the 13th October, Mr. Gregory, the resident engineer on the western division of the Great Western Railway, received from Kettlewell, the engine driver, information that Twitchell the conductor of the gravel train had been running on express time or close upon express time. On the 14th October, Mr. Gregory addressed a letter to Twitchell, of which a copy is now filed marked C. After receiving this letter Twitchell ran out twice on express time, as he admitted at the Inquest.

On the 24th of November, 1854, resumed the evidence of Mr. Brydges.

It was the duty of Twitchell to see that the gravel train did not go out on express time, and he was authorized to employ a watchman to watch the passing of the trains, and to prevent the going on the track with the gravel trains before the passenger trains had passed ; and, if he had not such watchman employed, he omitted to perform his duty in this respect. He had this authority from Mr. Harris, the contractor, and it was given to him by Mr. Harris at the instance of the Company. Since the accident at Baptiste's Creek, orders have been issued by the Company that no gravel train shall go upon the main track during a fog, snow storm or at night. I am not aware that there had been any fog on the line of Railway since its opening up to two days before the accident at Baptiste's Creek ; and the chance of fogs on the line was not considered in the framing of rules for the management of the Railway, and consequently no provision was made for fogs. Where trains have to pass in and out of sidings at different points on the line by night and by day, there are switchmen appointed to duty during the day and others during the night, and night and day duty never falls upon the same man. The fastest rate at which trains are run on the road is about thirty miles an hour, this is only on some of the good well ballasted parts of the road, and is the time required to be run on such parts of the road to keep up to the time in the time table—which is framed to meet the different states of the road ; the slowest rate with express trains on any part of the road is twenty miles—the average time of the quickest train, the lightning express is twenty-six miles an hour over the whole line. I have twice gone over parts of the line with the locomotive without passengers at the rate of about sixty miles an hour. The time table is not invariably kept ; the reason of this is, that the trains wait at the Suspension Bridge for the New York Central Railroad if the cars have arrived at their station, and at Windsor for the Michigan Central, and a delay is thereby occasioned of from half an hour to an hour ; the leaving of one train behind its proper time deranges all the other trains on the line ; while the trains are running the conductors have the whole control of the same under the time table ; they receive telegraphic messages from the station masters, but act upon them according to their own judgment, and the station masters have no

control over the conductor ; the system was formerly different, and the station masters had the control of the trains at their respective station ; a time table is arranged noting the passing places of the several trains, a copy of which time table is given to each conductor, with instructions to run according to the time table and the instructions therein contained ; the telegraph is used as an auxiliary, and the line is not worked by telegraph but according to the time table, and the aid of the telegraph is only called in case the trains do not start at the time fixed, or any thing occurs to prevent their keeping up to the regular time. The telegraph is under the control of the Montreal Telegraph Company, there being offices at the railway stations at Suspension Bridge, St. Catherines, Grimsby, Hamilton, Dundas, Fairchild's Creek, Paris, Woodstock, Ingersoll, London, Lobo, Wardsville, Chatham and Windsor. The Railway Company is making arrangements with the Telegraph Company to get a wire under the control of and to be used for railway purposes exclusively. The Telegraph Offices are opened from 8 A. M. to 8 P. M. The operators are allowed certain hours for meals, and they all leave for this purpose at the same time all along the line, at the Suspension Bridge, Hamilton, Paris, London, Chatham and Windsor. The operators are at the offices day and night, and at all other offices they are required to live near the station so that they may be called in case of emergency. No message sent with respect to the moving of trains is acted upon until an answer is returned to the person sending the message, containing the message itself verbatim and the answer thereto. Since the 10th of November instant these messages are given in writing to the conductor for whom the same are intended ; formerly the message was delivered to him verbally. I should think the Company have paid and lost from accidents resulting in injury to persons and stock about five thousand pounds (£5000) to six thousand (£6000), not including the loss occasioned by the Baptiste Creek accident. The engine drivers on the road are all, as far as I am aware, of good character, sober, steady men and understand their business and quite competent to perform their duties, having had considerable experience, varying from three to ten years. I produce a list of the engine drivers marked "D;" also a copy of the time table used on the line marked "E." I have had occasion to dismiss engine drivers for being intoxicated and disobedience of orders ; but as a class, those employed by the Company have been good men ; of the persons mentioned in the list of engine drivers several of them came to this Country in search of Employment, a few were brought out by the Company and some came to the Company from the United States. With the exception of the superior officers of the Company and engine Drivers and mechanics, the Company did not bring out to this country a dozen persons now in their employment, and the majority of conductors of trains are either Americans or Canadians, or parties who have been long resident in the country. The character of the persons employed by the Company is good ; they are steady men ; the Company have had from time to time to discharge some of their servants, and have endeavored to supply their place with better men, and the men now are generally speaking good steady men. The Board of Directors of the Great Western Railway consists of seven Directors elected by the Shareholders, and four Municipal Directors, and four English Directors, who are elected in the same manner as the Provincial Directors ; of the four present English Directors three have been nominated by the Board of Directors to supply vacancies occasioned by the resignation of three American Directors, who retired on friendly terms with the Company, and to enable the Company to

have a branch of the Board in London. The Company have received Provincial Bonds to the extent of £500,000 towards the construction of the road. The Board meets every fortnight, and I report to the Board all matters relating to the working of the road, its receipts and expenditures. Eight Directors constitute a quorum. I have the whole control of the working of the road, subject however to the instructions of the Board and their orders and directions from time to time. In addition to attending to the working of the road, I have had to attend to the legal business of the Company not coming strictly within the province of the Solicitors of the Company, and until lately I had to attend to the management of the financial affairs also; these latter matters are being removed from my duties, and I shall be able to devote more time to the superintendence of the practical working and management of the line. I refer to page 22 of the Report of the Engineer attached to the Directors' Report to the Shareholders of the Company of date 29th of September last, as shewing the reasons why the fences on the line were not completed at the time of the opening of the line. My report is now produced marked "F." My salary is £1200 per annum. It is to be increased at the end of this year to £1500, and as soon as the dividends reach eight per cent, my salary is to be increased if my memory serves me, at the rate of £250 to one per cent increase of dividend. To meet the demand of the public on the services of the Company, it will be necessary for the Company to have a double track from Hamilton to London. The delays that have taken place in the running of trains, irrespective of those occasioned by waiting for the American trains at the Suspension Bridge and Windsor, have taken place in consequence of the increase of business on the line before our facilities were sufficient to meet such increase, and this reason in a greater degree applies to the transport of freight.

Examination continued 6th December, 1854.

Deponent states that the minimum width of the top of embankments on the Great Western Railway, when completed will be seventeen feet at subgrade and twelve feet on the surface of the ballasting. The cuttings have a minimum width of twenty-one feet at the bottom and twenty-four feet on a level with the top of the ballasting. Deponent is unable to give any statement of the connections made or of the regularity with which they have been made at the western extremity of the line, that is to say, at Windsor, with the Michigan Central Railroad at Detroit, no record having been kept of such occurrences, but he hands in a statement of connections made at the eastern extremity of the line at the Suspension Bridge, Niagara (marked G), embracing the months of June, July, August, September, October, November last past. The Company has received up to the present date a sum of £600,000 sterling, being the proceeds of Provincial Bonds sold for the benefit of the Company. The interest upon this amount, at 6 per cent, is the first charge on the net revenue of the Company, and the next charge on the net revenue is 3 per cent appropriated to form a sinking fund in the hands of the Receiver General for the final redemption of the debt, estimated to be thus paid off in twenty years. The Municipalities who have taken stock in the road are, the City of Hamilton to the extent of £50,000 currency, the Town of London £25,000 currency, the County of Middlesex £25,000 currency, and the County of Oxford £25,000 currency; consequently the Mayors of Hamilton and London, and the Reeves of Middlesex and Oxford are *ex officio* Directors of the Company. They are always notified of Board Meetings. Have 35 Locomotive machines; require for the business of the road 28 *per diem*, leaving only seven at rest. The

Board has just ordered an addition of sixteen locomotives; six also are expected from England. The gross traffic of the line for the week ending Friday, the 1st December instant, was £8,300 currency. Deponent thinks that when the gross traffic averages £10,000 currency per week, it would be in the interest of the Company, and to the advantage of the public, that certain portions of the road should be laid with a double track. With reference to his qualification for the office he now holds, as referred to in his evidence from line 70 to line 90, the Deponent hands in testimonials lettered H, I and K respectively.

Since my former evidence at London, on the eighteenth day of November last, Mr. William Bowman has been removed from his position of Locomotive Superintendent in consequence of the opinion for some time back entertained by the Board of Directors that he was not in all respects suitable for the office. In addition to the officers I have already mentioned, there is also the office of engineer which is now filled by Mr. G. Lowe Reid, who has been in the Company's service, as an engineer, since the opening of the road and for three years previously. He has the general charge of the maintenance of the road bed and way, and the charge of buildings and supply of water, which last named charge has only been imposed upon him within about a month; it was formerly under the Locomotive Superintendent. In reference to the duties of the conductors of gravel trains and the reason why the Company did not see to the appointment of a watchman at the gravel pit west of the Baptiste Creek, I wish to make the additional statement in the paper I now produce marked "L" and the letter marked "M."

C. J. BRYDGES.

Taken and acknowledged before us,
WILLIAM F. COFFIN,
M. C. CAMERON.

Deposition of John Hogan, Switchman at Baptiste Creek.

JOHN HOGAN, of Baptiste Creek, in the Township of East Tilbury, yeoman, deposes and saith, that he has been in the employ of the Great Western Railway Company for the last fourteen months, and has filled the situation of Switchman at Baptiste Creek Station since the 27th day of April last. The buildings at the Station consist of a tank-house and wood-shed. Nobody lives at the Station. The men employed at the Station are three—the witness and two water-pumpers, one named Daniel Morau, and the other Darby Kavanagh. Witness, while in the employ of the Company, has always lived and slept at Thomas Mason's house, about a mile and three quarters from the Baptiste Creek Station. Daniel Morau, the Pumper, lives in a house next by the Station, with his wife. Remember certain Norwegian emigrants having been brought in cars and left at the Baptiste Creek Station on the evening of Saturday the first day of July. On that afternoon, his father being ill, the witness was going to Windsor for a doctor. At about eight o'clock in the evening reached Rochester Station, about nineteen miles from Windsor. At this place found that an obstruction had been caused by a locomotive driving a wood-train, which had run off at the switch and thereby obstructed the whole road. Two trains, one proceeding east and one proceeding West, were stopped at this point. To save time, the trains exchanged passengers and baggage and backed up the one to Chatham and the other to Windsor. The second-class passengers and baggage of the Eastern train going West were not exchanged, but remained attached to that train when it was ordered to back

up back to Chatham. At Rochester witness met Mr. Chapman, the Local Superintendent; he directed the witness to return to Baptiste Creek Station for the purpose of taking charge of the second-class passenger emigrants and their baggage, which it was intended should be left at Baptiste Creek siding. Returned with the train to Baptiste Creek and the four cars, that is to say, three first class cars and one other car, but whether a baggage or a freight car, witness cannot say; were put upon the siding. The passenger car contained emigrants Norwegians, as the witness believes. Cannot say how many emigrants there were in each car; suppose about 50 in each car; they were as crowded as they could be, men, women and children. There were no emigrants in the baggage car, and very little baggage. What there was did not appear to be emigrants' baggage, but the baggage of first-class passengers. As witness slept in the car, he noticed the baggage particularly, and noticed that cheques were attached to the different pieces, such as are attached to first-class passenger baggage. Mr. Chapman ordered witness, at Rochester, to return with their car and passengers to Baptiste Creek, to stop with them all night, and to send them on with the first Express in the morning to Windsor. The Express would have been due at between six and seven in the morning. It did not arrive until three o'clock of the afternoon of that day. Witness remained up in charge of these emigrants until about ten o'clock at night, and then went into the baggage car and slept. It was a very hot and sultry night. Two or three of the emigrants could speak a little English, and inquired when the train would come for them; also whether food could be procured, and when. Many of them, although warned not to wander lest they should miss the train, did wander away to procure food. There were only three or four inhabited houses in the vicinity: one Smilter's, about a mile and a quarter distant; Mason's, about a mile and three quarters, and the Prairie Cottage about a quarter of a mile further off than Mason's. Morau did not live at the Station then. The country around Baptiste Creek Station is a marsh, which will not support the weight of human beings. The only roads are the railroad track and a plank pathway to Mason's. The only water to be had to drink at the Station was swamp water or creek water. Went through the car in travelling from Rochester to Baptiste Creek. The emigrants were lying on the floor so closely packed together that witness could hardly get through. Thinks there were altogether about one hundred and fifty of them. Did not repeat his visit to the car. Did not consider it his duty to make any further enquiry about them. Did not think that they could understand him. Cannot say how many children there were in the car, but there were many. One died in the night, and was buried in the morning. Two men in the morning were taken out of the cars, and laid on some planks under the shed; they appeared to be very sick. One, who spoke a little English, told witness that they had the cramps or the cholera. Witness did not approach them nor give them assistance; there was nothing that could be done for them. These men were replaced in the car, and sent on to Windsor by the Express train which reached Baptiste Creek about three in the afternoon. Witness cannot swear positively that no freight car containing emigrants or their luggage was left with the second-class passenger car and baggage, as hereinbefore mentioned, at Baptiste Creek. Witness only absented himself on the Sunday, in the morning, to get his breakfast at Mason's house, where he boarded. As witness did not go through the car but once, cannot say if any of the passengers were sick in them on the Sunday. He did not see a sick woman put into one of the cars at the time of starting.

Witness was at Baptiste Creek on the occasion of the accident which happened on the 27th October last. Was employed as Switchman by the Company at that time. Was at Mason's, where he boarded, when the accident took place. It must have been two hours after it happened before he got there. Crawford, the Foreman on the track, told witness first, and he repaired forthwith to the spot.

Witness knows that, for about two months, one John Ballantine was employed at the gravel-track switch as Switchman. He told witness that he was employed and paid by Mr. Harris, the Gravel Contractor. He left about three weeks before this accident, and no regular Switchman was appointed afterwards up to the time of the accident. The duty of the Switchman is to tend switch, and see that the lamps are lighted and that they keep alight. Does not consider it necessary to lock the switch by day. Locks it at night; but when he leaves during day, always warns another man, one of the Pumpers, to watch the switch. A lamp has been lately lighted at the gravel-pit switch. No such lamp was lighted at the time of the accident.

And the witness having heard this deposition read, declares it to contain the truth, and has signed

JOHN HOGAN.

Sworn before us, at Chatham,
29th October, 1854.

WILLIAM F. COFFIN,
M. C. CAMERON.

Statement of THOMAS MASON, Contractor, 28th November, 1854.

Thomas Mason, of the Town of Chatham, in the County of Kent, Canada West, Master Contractor, states, that he has been in Canada three years, and during that time has been employed as a Contractor to make and complete various works on the Great Western Railroad. Had a contract for gravelling or ballesting that part of the Great Western Railway lying between Chatham and Windsor. Commenced this work in December, 1853, and worked on during January, February, March and April, 1854. Took the gravel and sand used for this purpose out of a pit lying on the shore of Lake St. Claire, about two miles west of Baptiste Creek. In the beginning of May, as far as he can recollect, one Harris got the contract from the Company, and Deponent discontinued work at this point, but has been in the employ of the Company ever since. While he worked at the Baptiste Creek pit, the Company furnished locomotive, tender and car for moving gravel. The Company also furnished the conductor, engine driver, fireman and brakeman on the gravel train. They paid all these servants. There was no regular switch tender at the point where the gravelling track unites with the main line of road. The switch was always locked with a proper lock. The Deponent kept one key and the conductor of the train the other. No train could get upon the main tract except with the knowledge and by the consent of this Deponent or the conductor. The conductor was in the pay and under the order of the Company, and would not move a train except when he thought fit, under the order of the Company. This Deponent had no control over him whatever. The Company also furnished a cleaner for the locomotive known as a "watchman," whose duties consisted in cleaning the engine when it came in at night, in oiling up the engine, in firing up and calling the engine driver and fireman. This man had nothing to do with attendance on switch, nor does the Deponent believe that the looking out for, watching, or

reporting of passing trains was part of his duty. If he heard or noticed one pass he would probably mention it. When in occupation of the pit was always most particular and careful that the keys of the switch were either in the keeping of the conductor of the train or of himself, or hung up in his own house. Does not know or believe that there were then any rules of the Company regulating the running of trains in snow storms or fogs, at least never heard of any.

THOMAS MASON.

Taken and acknowledged before
me at London, C. W.

WILLIAM L. COFFIN.

22nd Nov. 1854.

Statement of HENRY TAYLOR and CHARLES QUENTIN, 17th Nov., 1854.

HENRY TAYLOR, formerly of Ste. Catherines, now of Chatham, C. W., states that he was employed by Harris, the gravel contractor of the G. W. R. W., upon his gravel train at the time of the accident, on the morning of the 27th October last. His duty consisted in watering engine, shackling car and braking. On that morning (27th October,) on approaching the switch so as to get from the track to gravel pit on the main track, he received from the conductor Twitchell the key of the switch with order to open it and let the train out. He did so accordingly. The locomotive and train then proceeded out of the gravel pit track on to the main track westerly, until the train was clear, and then back up easterly. At this time there was a changeable light or lamp on the end car held by the conductor. Deponent was occupied as brakesman about the centre of the train which consisted of seventeen or eighteen cars; his leg was crushed, and it was afterwards amputated; had been in Harris's employ from about the 5th September. During the greater part of the time there had been a regular switchman whose only business had been to look after the switch. Latterly, for about a week, there had been no switchman; since that no particular man had been set apart to it, but any hand was ordered, when wanted, to do this.

HENRY TAYLOR.

Signed and acknowledge before me,

WILLIAM F. COFFIN.

17th November, 1854.

CHARLES QUENTIN, of Chatham, corroborates the preceding statement of Taylor as to there being no regular switchman employed at the gravel pit for some days, perhaps a week before the accident; the regular switchman, when so employed, would lock the switch when the gravel train ran in at night and go home, so that the switch could not be opened by any one until he came back. Since switchman left has himself opened switch, having received the key for that purpose from Twitchell the conductor.

Not being able to write,
acknowledged before me,

WILLIAM T. COFFIN.

17th November, 1854.

Statement of GEORGE BARNHART, 17th Nov., 1854.

George Barnhart states, I lived about two miles from Williamsport, Lycoming County, State of Pennsylvania, and was boss of gang of about thirty laboring men on the Susquehanna Railroad. On the twenty-fifth of October last, I and my family, consisting of my wife and four children, left home for the purpose of going to the State Illinois, to settle on land; we took the cars on the Lycoming Road from Williamsport to Elmira, intending to take tickets and go on by the York and Erie Road. I was prevented from doing so by representations made to me at Elmira, that we could go quicker, and it would cost us less through Canada, on the Great Western Railway and the Michigan Central Railroad. These representations were made by a person selling tickets for the Michigan Central Railroad. I purchased tickets from this person, five in number, two of my children being considered as one person. I paid fifteen dollars and a quarter a piece for these tickets. I purchased them as first class tickets. We left Elmira at four o'clock in the afternoon by Railroad, but I do not know the name of the road; reached the suspension bridge at about two o'clock the following morning, and were detained there till half past two in the afternoon; we then took the Great Western cars and proceeded on our journey; we took our places in a first class passenger car; it was the fourth first class passenger car from the engine. At the first station, after leaving the suspension bridge, we were ordered into the forward car; I asked the reason of this, and was told by way of answer to go where he told me; I told the conductor that I thought we had a right to be where we were as well as any other person, for we had paid our fare, and that if he would allow my wife and family to remain, I would pay him what he might ask. He refused to let us remain, and we were put forward into the foremost car; this was what is called a second class car. I believe there was no fire in it; it was much smaller than the other, and had no cushions on the seats. There was light in it for about two hours given by a single lamp which was dirty and gave a very poor light; it went out in about two hours as I have said, and was not again lighted though frequent requests were made to the conductor and person who seemed to have charge of the lights; no attention was paid to our requests, and we continued in darkness until about five o'clock in the morning when we felt a shock, and the car in which I and my family were, with about twelve other persons, was forced back through the first, second and into the third first class passenger cars, and I was jammed between some boards on top of several people, and could not extricate myself. I was wounded in the head, had my right jaw bone broken, was hurt in the chest and had my leg bruised from the hip to the foot; my wife had her scull laid bare and her right arm injured, one of my daughters had her thigh broken, and a son had a severe cut over the right eye, my eldest daughter, a girl of about sixteen, was killed, she was jammed with her feet in the roof of the car with her head hanging downwards, and continued in this position for about two hours without my being able to render her any assistance as I continued jammed between the boards as I have above stated. I feel satisfied if she could have been extricated, she would have lived as I believe; she sustained no fatal injury from the collision, and died from being suspended with her head downwards. The car had to be broken into with axes to extricate us; we were carried out of the car and laid on the side of the road, and there remained until about four o'clock in the afternoon, when we were removed to Chatham station, in the first class passenger cars of the Railway; from

the station we were conveyed to the town hall of Chatham, where we have since remained ; I am recovering but still unable to walk ; my wife is also getting better, but slowly, and is still confined to bed ; my daughter with the broken thigh is also recovering, and my son is nearly well. We have been treated well since we have been here, and I can find no fault with the attention paid us.

his
 GEORGE † BARNHART.
 mark

Dated 17th November, 1854.

Statement of CHARLES GALLAGHER, Windsor, 28th November, 1854.

CHARLES GALLAGHER, of the Village of Windsor, in the County of Essex, laborer, deposes and saith : I recollect the circumstance of some Norwegian Emigrants being left at Baptiste Creek by the Great Western Railway Company on the ninth of July last ; I saw them there on Sunday ; they were left the evening previous ; I cannot say how many Cars there were left there, but I am sure there were at least three, and I think more ; I cannot say how many Emigrants there were, but certainly over one hundred ; I saw them wandering about looking for food ; some were sick ; they could not get sufficient food in the neighborhood ; there is no water fit to drink within a mile of the place where the cars were left ; I was at this time working on a Section of the Great Western Railway, commencing at the Bridge at Baptiste Creek, and extending four miles towards Windsor. The house where I boarded was within two miles of the bridge ; the emigrants came to this house in search of food, and appeared to be able and willing to pay for it ; they got all the food that could be spared at the house, but the quantity would go but a little way in supplying the wants of so many persons ; I recollect a collision that occurred in October last between a gravel and express train, near Baptiste Creek ; I saw Patrick Pine, the person who cleaned and looked after the gravel train Engine on the morning of the collision ; we lived at the same house, and he had to pass through the room in which I slept to get to his own ; he came in on the morning of the collision after cleaning and firing up the Engine, and in passing through my room I asked him what time it was, and he said it was about four o'clock, and complained of the Engine driver with whom it seemed to me he had had some angry words ; he said also that it was a very dark night, and so foggy that he could hardly find his way to the house with a light ; I asked him if the gravel train was going out, he said it was ; I then asked him if the Express had passed, he said one had and the other had not ; and I told them so, meaning the conductor of the gravel train Mr. Twitchell, and the Engine driver, John Kettlewell ; Pine then went to bed, and shortly afterwards I heard a crush on the track, as I thought, and got up and looked out of the window, but could see or hear nothing ; I went to bed again, and in a little while a report came to the house that all the men on the gravel train had been killed ; I then called up the people of the house, and also the said Pine ; I told him that the people on the gravel train had been killed, to which he answered, they could not have had better luck, from which I understood he meant that they could not have expected any thing better for going out in such a fog ; I, and about ten or eleven others, went along the track to where the gravel train was, and found that it had come in collision with the express train going West ; the cars of the gravel train were completely

smashed, and several of the cars of the express train were jammed into and upon each other; I spoke to the engine driver, and asked him how the accident happened, and he said that he saw a light ahead, and the moment he did so, he shut off the steam and whistled once, and at that instant the collision took place; I helped to take the passengers from the ruins of the cars; I was engaged in this work with about eleven others, besides passengers who were not hurt, from six in the morning until ten or eleven; we took out about forty-nine persons either dead or dying, and about as many more who were wounded more or less severely. Sometime previous to the accident there had been a regular switchman at the junction of the gravel track with the maintrack who left because they required him to dump as well as to take charge of the switch; at the time of the collision there was no regular switchman in charge of the switch. There was a lamp and signal post at the switch, but I never knew the lamp to be lighted.

C. GALLAGHER.

Taken and acknowledged and sworn before us this 28th day of November, 1854.

WILLIAM F. COFFIN,

M. C. CAMERON.

Statement of JOHN SMITH, of Baptiste Creek, Yeoman, 27th November, 1854.

JOHN SMITH, of Baptiste Creek, Township of Tilbury East, County of Kent, yeoman, states, that he has lived on his own farm, being No. 10 of the second concession of above Township, for the last twelve years; that the Baptiste Creek Station of the Great Western Railway Company is situated about a mile from his house. Remembers the occasion of certain Norwegian emigrants having been left in car on the railway track at Baptiste Creek. It occurred early in July, on a Sunday. The weather was very hot. Some of the French people living about there called in the morning to say that foreigners were in car on the track, and that they had sickness among them. Did not go down to the Creek to see, having a large and young family of his own, and not choosing to run risk of infection. Several of the people—the passengers in the cars—they were foreigners—believes them to have been Dutch or Norwegians—came to this deponent's house seeking for food or milk. They spoke just enough English to make their wants understood. They demanded "pred," "pred." Furnished them with all they had. They appeared to be ravenous, eating voraciously. This was about nine o'clock in the morning of Sunday. Some of them eat the food up at once; others went down with it to the car, deponent supposes, to their families. Has heard that two children died and were buried at the Creek. Understood at the time that they had the cholera in the cars; this was the reason why he, the deponent, did not make enquiries at the cars. Believes that the man who had charge of the Station at the time was a Scotchman—since killed by an accident. They could have had no other water while at the Creek than swamp water or creek water, which deponent considers to be most unwholesome drink. Has a well for the supply of his own family, but does not always consider even that water wholesome.

Remember the collision which took place between the Express Train and the Gravel Train on the morning of the 27th October last past. Two passengers with a globe lamp came to deponent's house; also one John Hogan, who is in

the employ of the Company. Went down to the Creek, to where the accident happened, to give all the help he could. Has frequently noticed the working of the gravel-train, and has considered it to be worked carelessly. Has often seen the train dumping gravel near to and in front of his own place. Never saw a flag sent out, as required by the rules of the Company. Consider that if the Company had had a regular Switchman or Watchman at the switch into the gravel-pit, notice would have been given that the train, the Express Train, had not passed. It was a very thick and foggy morning. Harris, the Gravel Contractor, paid the Engine Driver extra wages to go out of the pit early in the morning. Has often seen the gravel-train returning followed so close by the express train as to have the appearance of the one train chasing the other. The fences of the Company have been in a very bad state up to a period of about eight weeks since; previous to that, four horses, belonging to different members of the family of Coutts, were killed on the track, within a quarter of a mile of this deponent's house. It is a wonder that the train was not thrown off the track by the collision. The cattle and horses turned out in hundreds in these marshes in the summer season, kick and break down the fences in their efforts to escape from the musquitoes. The section men of the Company, when applied to by the deponent, stated that it was not their business to repair the fences, but had applied to the Company for nails and boards to repair fences, and could not get them. Has never seen the section men going over the track of a morning, to see if all is clear, until since the late accident. Now they are more active, and attend to this precaution.

And the said deponent having heard the above deposition read, declares the same to contain the truth, and has signed his name.

JOHN SMITH.

Acknowledged and sworn before us,
at Chatham, this 29th Nov., 1854.

WILLIAM F. COFFIN,
M. C. CAMERON.

Deposition of JOHN KETTLEWELL, Engine Driver, 29th November, 1854.

JOHN KETTLEWELL, of Sandwich, in the County of Essex, Engine Driver of the Great Western Railway Company, now in the Gaol of the County of Kent, at Chatham, on a charge of Manslaughter, being cautioned that he need not answer any questions or say anything to criminate himself, deposeth and saith: I became Engine Driver of the locomotive attached to the gravel-train that ran from the gravel-pit, west of Baptiste Creek, on the tenth of October last, and continued there until the twenty-seventh day of the same month. I had been in the employment of the Great Western Railway Company since the month of December last, as a Mechanical Engineer. I served a regular apprenticeship to the trade of a Mechanical Engineer in England, and came to this country in the month of July, 1853. I went to the gravel-pit engine by the direction of H. Nil, who has the placing of men on the engines, and is stationed at London. While I was at the gravel-pit as driver of the engine, I considered myself in the employment of the Great Western Railway Company; I was not informed of anything to the contrary. While I was in charge of the gravel-train locomotive, I was under the control of Mr. Twitchell, the Conductor of the train, and considered that I was

bound to obey his orders as to the movement of my engine. On the twelfth of October my engine, with a train of seventeen or eighteen gravel-cars, went out for wood, about half-past four in the afternoon, to the distance west of the gravel-pit of about two miles and a half, and continued there on the main track until after six o'clock. We should have left this place at the time the day Express, going West, was due at Chatham, that is to say, at twenty minutes before six. I whistled twice to warn the Conductor, but he paid no attention, and we did not leave until he had loaded what wood he wanted. The wood was piled on the gravel-cars about three feet and a half high, and I was forced to go slowly with the engine lest the wood should fall off on to the track, and throw the tender, and perhaps the locomotive off. I complained to the Conductor, Twitchell, of this, and afterwards reported him to Mr. Gregory for a breach of the rules. Gregory told me, in the presence of Thomas Higgins and Henry Beach, who is now an engine-driver on the Michigan Central, that I was under no further responsibility; if anything went wrong, Twitchell would be responsible. I after this obeyed Twitchell's orders; but I would not have gone out on the main track, on the twenty-seventh day of October last, if I had not understood from Patrick Pine, the engine-cleaner, that the express trains had passed. The gravel-train left the pit near five o'clock in the morning. It was very foggy; I could scarcely see any light from the lamps in front of my engine. I had the usual red and white light in front of the locomotive. The Conductor, Twitchell, had also two lamps, one red and one white, and he stood on the last car, I think, with these lamps. After going out upon the main track from the pit I backed my engine, so that the last gravel-car became the first, and in this manner I proceeded on towards Baptiste Creek. I had been out about fifteen minutes, and had got about one hundred and fifty yards east of the bridge at Baptiste Creek, when the express train came in collision with the gravel-train. I saw nothing of the express train coming, and the first intimation I had of it was the concussion. I was thrown off my engine, and was slightly stunned. On coming to, I got into the engine again and got my lamp, and went to see what had occasioned the collision, and I then found that I had come in contact with the express train. I then went in search of the Engineer of the express, and found him coming towards the track, having crept from under his engine, which was completely overturned. About ten of the gravel-train cars were smashed completely up, and all the others were injured. I was bruised in the shoulder on the left side, and was therefore only able to render slight assistance in extricating the passengers from the wreck of the passenger cars of the express train. I cannot say whether Pine told Twitchell, or not, that the express train had passed. I had no conversation with Twitchell that morning on the subject. From the tenth of October up to the 27th of October we had been in the habit of running out with the gravel from *four to six o'clock in the morning*. I complained of running out at night; and Mr. Pollard, the Foreman of the gravel-pit, having heard that I had been complaining of this, came to me on the 23rd of October, and asked me how I liked running out at night, to which I replied I did not like it at all. He then said the winter was coming on, and the time was short to get the work done; and he said all the rest were willing, and there were plenty of chances to make short runs in the morning. I then said I did not care, and would go out if a good watch was kept, and he replied that Pine would watch as usual. Previous to the 23rd of October the latest train passed Baptiste Creek, when on its right time, at half-past eight o'clock at night. On the 23rd of October the lighting express was placed on

the line, and a new arrangement of the running of the trains was made, the mail express passing Baptiste Creek, when in its right time, at about twenty minutes past ten ; and I made the observation to Pollard about the watch being kept, as I thought there was more danger from this change in the arrangements, and that the express might be much later than its proper time.

JOHN KETTLEWELL.

Taken, acknowledged and sworn before us,
at Chatham, this 29th day of November, 1854.

WILLIAM F. COFFIN,
M. C. CAMERON.

*Hamilton, 6 Dec. 1854, THOMAS C. GREGORY, Resident Engineer, W. D.
G. W. R. W.*

THOMAS C. GREGORY, of Windsor, in the County of Essex, Canada, West, Civil Engineer, being duly sworn deposes and saith: that he is a native of Edinburgh, Scotland, and has been in Canada three years. He has been employed since his arrival in the Country in different capacities in the engineering department of the Great Western Railway. Has been employed as resident engineer on the Western Division of said road since the end of July last; holds his appointment under George Lowe Reed, the Chief Engineer of the Company; his duty consists in superintending all matters of construction still going on on the Western Division; has to see that the ballasting is properly done by the contractors, and to superintend the enlargement of the banks where required. The gravel pit at Baptiste Creek is within his division: remember the circumstance of Kettlewell the engine driver of the locomotive engine in the gravel pit, having informed him that Twitchell the conductor of the gravel train had run his train too close upon express time; this occurred in the gravel pit at Baptiste Creek on the 13th October; on the following morning at Windsor, Kettlewell again mentioned the subject, deponent was standing on the platform at Windsor with Mr. Reid the chief engineer, and told him at the time that Kettlewell had made this complaints against Twitchell. Wrote a letter to Twitchell warning him of the danger and consequences, copy of which letter is hereunto annexed (marked A.) To make things more sure, also wrote a letter to George McKenzie, time keeper, as he was called in the gravel pit, of which copy is also produced (marked B.) George McKenzie had told deponent in the gravel pit on the 13th that Kettlewell had a complaint to make about Twitchell. Did not report Twitchell further; considered he had done enough in mentioning the fact of the complaint to Mr. Reid. Had no direct authority to suspend or discharge such men as Twitchell; but would not have hesitated to employ such authority had the occasion called for it, but did not consider so strong a measure necessary under the circumstances. Twitchell the conductor was appointed by the Company on the recommendation of Mr. Harris, the contractor; Kettlewell the engine driver was appointed by the locomotive department. The whole management of the pit was in the hands of Mr. Harris. I believe that there was a switchman appointed by the Company at the gravel pit; I have seen one there but cannot say if a switchman regularly appointed by the company; was at the switch at the time of the accident of 27th

October last past, before the morning of the 14th October, in answer to a question from Kettlewell, told him that the conductor was responsible for the time of running the train.

THOMAS C. GREGORY.

Acknowledged and sworn before us,
this 6th December, 1854.

WILLIAM F. COFFIN,
M. C. CAMERON.

COPY.

ENGINEER'S OFFICE G. W. R. W.
WINDSOR, 14th October, 1854.

MR. TWITCHELL,
Conductor Ballast Train,
Plains.

SIR,—I have to request that you do not run on Express time, but be off the *Main Track twenty minutes before it is due, and remain so till it has passed*. Any transgression of this rule will be reported me, and will call for a demand on my part for your removal.

The whole weight and responsibility of any accident that may happen from a transgression of this will fall upon your shoulders.

Your obedient servant,
(Signed,) THOS. C. GREGORY,
Resident Engineer,
G. W. R., W. D.

COPY.

ENGINEER'S OFFICE G. W. R. W.
WINDSOR, 14th October, 1854.

MR. MCKENZIE,
Ballast Train,
Plains.

DEAR SIR,—I have this morning written to Mr. Pollard ordering the immediate turning of the Dredge. If this order be not complied with, you will be sure and keep a note of the material turned out, and what proportion of it is Clay. You will also report me the fact. You will also inform me if Mr. Twitchell runs on Express time, and any occasion that he may not strictly adhere to the rule to be off the *Main line twenty minutes before the Train is due*.

Your obedient servant,
(Signed,) THOS. C. GREGORY,
Resident Engineer.

Deposition of WILLIAM SCOTT, Civil Engineer, London 25th November 1854.

WILLIAM SCOTT, being duly sworn, deposes and saith: I reside at Windsor, and am a civil engineer; I have been five-and-twenty years as surveyor and

civil engineer, and ten years of that period I have been almost exclusively connected with railways, in England since 1842. I came to Canada in 1850 ; on my arrival I was employed on the G. W. R. as associate chief engineer in sole charge of the Western division of the road from London to Windsor. Personally I know nothing about the accident at Baptiste Creek, but about the causes conducive thereto, I know a great deal. In my judgment, this accident and all others that have occurred on the line, not mere accidents which human foresight could not prevent, have been occasioned by irregularity in running the trains, and their time in reaching the passings. The accident at Baptiste Creek is attributable to this cause ; as it was seven or eight hours behind its time, in addition it may also be attributed to the want of a proper watchman at the switch, at the junction of the gravel trains track with the main track. I cannot say of my own knowledge whether there was a watchman at this point or not. I have been informed there was not. I produce a copy of letter written by me to Mr. Brydges, dated Windsor 18th November 1853, and marked " A 1." To the letter I received no answer to the best of my recollection ; my advice as given in this letter was not taken by the Company. I know that the conductor, engine driver, and switchman on the gravel train at the plains gravel pit, in the township of east Tilbury, were appointed by the Railway Company, while I was engineer on the division and using the locomotive for getting out gravel ; the engine was always placed at night in the Baptiste Creek shed, and I had a regular switchman stationed at Baptiste Creek with two assistants, and the gravel train was never allowed to be out at the dark or before day light, by my directions. It is usual to lock the switches, and each conductor has a key, and many of the engine drivers had keys in my time on the ballast and wood trains. If there was a switchman he also had a key. Up to the 12th May, 1854, when I receive a letter from Mr. Brydges, informing me that the switches on the line were placed under the control of the traffic department, I appointed the switchman for the ballast trains ; I produce Mr. Brydges's letter, and also a copy marked " A 2." I have inspected the second class cars and baggage cars, and I am satisfied they are not fit to run on express time, the iron work of the cars being very bad and the cars too light. On the 5th of June last I wrote to Mr. Brydges on the subject of the Lobo accident, and pointed out the insufficiency of the seats in the second class cars. I produce a copy of this letter marked " A 3" and Mr. Brydges's reply marked " A 4." I wrote to Mr. Brydges on 3rd of April, 1854, a letter on the subject of an accident that took place about twenty four miles east of Windsor on the first of April 1854, which I am satisfied was occasioned by the defective iron used in the baggage car, and in my letter I made this statement. " In running high speed, which they generally do on this part of the road, it will be necessary to have the baggage and other cars carefully looked to, as the slightest flaw may cause enormous loss of life, and I am satisfied from the specimens of broken iron witnessed yesterday, that the car in question should never have been received on any Railway to run at high rates of speed." This car was attached to an express train. It is the duty of the Mechanical Superintendent to inspect the cars and decide upon their sufficiency. On the 12th of April, 1854, a similar accident occurred from the same cause ; I was on the train ; it was at the Stanton cut, east of London. The accident, called the Lobo accident, was occasioned by a cow getting on the track ; there was no fencing for some miles on both sides of the place where the accident occurred ; it was on the 3rd of June, 1854 ; three cars ran off the track, one first class, one second class and one baggage car ; it

was on an embankment, the top of which was very little wider than the ties. This bank was considered dangerous, and a green flag was placed to indicate the cars should run slow in crossing; the bank was about eleven feet wide; all the banks should be fourteen feet wide according to instructions; in the old country, embankments are always at least eighteen feet wide for a single track, as far as I have seen; the cars would not have run off down the embankment if it had been eighteen feet wide; the embankment is from twenty-five to thirty feet high; I do not think a cow could stand between the edge of the embankment and the cars. With respect to the Baptiste Creek accident, I would remark, that the orders that have since been given by the Company, that no ballast trains should go out on the main track in a fog, ought to have been given before, as there are no fog-signals on the line. I have examined the time table of the Company, and think, if the trains are run exactly in accordance therewith, accidents would not occur; but if a train is late and the telegraph has to be resorted to to fix the places of passing of the up and down trains, in my opinion, the trains cannot be run with safety; I give this opinion in consequence of the manner in which the telegraph along the line is conducted. I do not know the speed of the several locomotives on the line. It is my opinion that the locomotive department of the Company is not under good management, and has not been since the commencement. To the best of my judgment, Mr. Bowman, the present locomotive superintendent, is not competent to discharge efficiently the duties of the locomotive department; while I was in the Company's service, I had to complain several times of the manner in which Mr. Bowman performed his duties. I produce copies of letters written by me to Mr. Brydges respecting Mr. Bowman, bearing date respectively 30th January, 14th February, 20th February and 4th March, 1854, and marked respectively A 5, A 6, A 7 and A 8, also two letters to Mr. Bowman of date 27th February and 4th March, 1854, and marked A 9 and A 10, respectively. I am aware that there has been and is great irregularity in the running of the freight and other trains, and I produce copy of a letter from myself to Mr. Brydges on the subject, dated 14th February, 1854, marked A 11, and Mr. Brydges' reply thereto, marked A 12, and I am aware that greater latitude has been allowed to the contractor for the ballasting in running the ballast train than was allowed, to me while acting as engineer. By irregularity in running, I mean that the trains did not run upon or up to their regular fixed time. In my opinion the ballasting of the road ought not to be done by contract but should be under the superintendence of the Company, because a contractor will be anxious to get on with his work so as to make profitable and will be more likely to run out incurring risk if trains are late, than to remain off the track and leave his work standing. It is also my opinion if there had been a proper watchman and switchman at the ballast pit near Baptiste Creek, the late accident there would not have happened, because the ballast train would not have been allowed to go on to the main track before the express had passed. The switchman would not be under the control of the conductor of the ballast train, and it would be a breach of his duty to allow the ballast train to go out, if placed there with proper instructions there was an accident happened near Chatham on the 30th May, 1854, by the tire of the wheel of the forward passenger car coming off; it had old break in it, and might have been in a defective state for about three weeks—no person injured—train detained thirty-five minutes. The breaking of a tire is not frequent on a railway, it sometimes happens, but a tire generally cracks before it breaks altogether, and the defect may be found out, if proper care

is taken in the examination of the cars before they are allowed to go out. At all first class stations in England the cars are never allowed to go out without the wheels *being sounded*, and this precaution is not observed in the Great Western Railway at Windsor or Chatham which are first class stations. Stations where there is an engine shed and mechanics stationed, are called first class stations. On the 12th June, accident occurred to the express train going east by the axle of the tender breaking; four cars were thrown out off the track and destroyed, two persons were injured, one named Matchu had his arm broken and the other was severely bruised, this axle was of very bad iron, the worst specimen I have ever seen. There was a flaw in it externally, which I think was there from the first, but this I will not say positively; I think if proper care had been taken in the examination of the axle, the defect would have been discovered and the accident prevented; the engine is named the Stag. The person sounding the wheels would not examine the axle; the examination of the axle should take place before it has been used, and every morning in the engine shed. The Company's printed orders and regulations have a provision fully ample to meet this requirement, and if observed, sufficient to prevent accidents from defective iron, &c. Rule No. 2 page 21, of the Red Book of rules and regulations. I cannot point to any particular instance where the engine driver has omitted to make such examination; as a matter of necessary precaution the wheels of cars ought to be examined every fifty miles. I have travelled on the G. W. R. between London and Windsor a hundred times, and I never saw the wheels examined, and I think they could not have been without my having been aware of it, as the person in sounding the wheels makes considerable noise, and I should have heard it.

On the 19th of July, 1854, an accident occurred four miles west of Chatham, to the night express; it occurred about six in the morning at a private crossing, and was occasioned by the locomotive having run over two oxen yoked together, and two cars were thrown off the track or rather one entirely off, and the other partly, two persons were injured, a woman and man; the locomotive was going slowly at the time, and no blame was to be imputed to the engine driver or any one on the train; The accident was occasioned solely by the oxen getting on the track, through a broken fence, but whether the fence was broken by the cattle or not, I cannot say; in my opinion there ought to be gates at all public road crossings, as without gates there is nothing to prevent cattle getting on the railways at these public roads. Questioned by M. O'Reilly, Esquire: I never had the practical management of a locomotive in England; I had three under my control on the G. W. for several months, say four months, at different times; I never served my time to the trade of a mechanical engineer; I never had the management of the traffic of a railway, but I have seen a good deal of such management as assistant to Peter Brough, Esquire, Engineer and Manager of the Eastern Union Railway; the principal part of my duty as such assistant was in constructing and laying out railways, also in attending to the working of the line; I do not think the seats in the second class cars were strengthened after the Lobo accident; and I cannot say whether any person was killed in the second class cars on that occasion; but I saw blood on the floor and the marks of finger nails; the loss of life may have been wholly in the freight car; I cannot say that any accident has occurred from excessive running; I do not know whether it is the practice on American lines to run gravel trains on freight train time; I left the service of the G. Wes-

tern on the 25th of July last ; I am aware that ballast trains ran out in freight train time about the month of April last ; I was opposed to letting out the ballasting by contract, but after that course had been determined, I sent the tenders of three different persons to the Company for this work ; the fogs on the line occur in the fall about the Indian Summer season ; I am aware that the cars on American Railways are not punctual in running up to time ; but none that I know of are as irregular as the Great Western ; I do not know whether at the present time any of them are as bad as the Great Western ; I cannot say whether any accident occurred before the 27th of October last, from irregularity in the running of the trains, but I am aware that one has occurred since near Thamesville on the 10th of November instant, but no injury to person or life was occasioned thereby ; on the 15th of March last, an accident occurred from a hand car between Chatham and Thamesville ; Mr. Brydges gave orders to have the hand cars removed from off the line before this accident, but from my representation to him of the use there was for the hand cars, they were allowed to be retained under particular instructions respecting their use ; I issued those instructions which were stringent and framed to provide against accident ; one person was killed, and two wounded ; on the 17th of February last, I wrote to Mr. Brydges representing that I had been at a dinner in Detroit where the Great W. road was spoken about and condemned by some person ; and I spoke there to the effect that the road ought to have a fair chance as it was a new road, and that it had done as well as any new road, but in writing this I was only representing what occurred in Detroit, and not giving my opinion to Mr. Brydges of the merits of the road ; several of the Citizens of Detroit present at the dinner said they considered it as well managed a road as any on the Continent ; this was twenty-four days after the opening of the Western division ; I was dismissed from the Company's service in consequence of my having purchased some gravel pits, which the Company thought I ought not to have purchased while in their employment ; I was not permitted to make any personal explanation before the board of directors respecting my conduct in making this purchase. I form my opinion of competency of Mr. Bowman from my knowledge of the insufficiency of the cars and engines allowed by him to be put on the road ; the road was opened before it was ready for traffic, in consequence of the importunities of the public to have the road opened ; it is the practice in this Continent to open roads before they are ballasted and ready for traffic.

WILLIAM SCOTT.

Taken and acknowledged before us,
This 23rd day of November, 1854.

(A 1.)

Copy of Letter of W. Scott to J. C. Brydges, 18th November, 1854.

ENGINEER'S OFFICE, G. W. R. W.,
WINDSOR, 18th Nov., 1853.

DEAR SIR,—When I last had the pleasure of meeting you in Hamilton, you said it was likely you would let out the line to be kept in repair by contract for one year or more.

I beg most respectfully to submit to you my opinions against such a course, which I am satisfied will not work as well for the interests of the Company.

In the first place, the Contractors have all refused to keep the line in repair, even while laying their own work; and I have been obliged to purchase tools, and organize regular gangs of men to keep the road in any kind of repair, so as not to destroy the Company's plant, and at the same time to forward the work.

I have this work now in so forward a state on all the divisions that I hope, when the road freezes up, to have it in such a state that very little work will be required at it until the spring; consequently any Contractor coming in would reap the reward of the Company's labours. Again, during the winter, I can have a large supply of ballast (provided I get cars) distributed, ready to put the road up to grade whenever a thaw comes; the worst places can be even raised and made secure without a moment's delay by those who know the track so well.

The ballasting and raising must necessarily be done while the trains are running; and on a single line of so great a length it will require the most constant supervision and care to prevent accidents. It is well known that Contractors and their men are proverbially careless, and I do not hesitate to say that, from my experience, the road at the end of one year's contract will be in a worse state than at the beginning; and if there is not a very stringent contract, embracing every part of the way and works, the extra bills will be without limit.

Should the Company, however, entrust the repairs to their own servants, I am satisfied that it can be done cheaper; and I am sure one year's repair will do more for the future stability of the road than two or three under ordinary contracts.

You have now my opinion from long experience, and, should you decide differently, I hope to do all I can to carry out your views, even under a contract; but Contractors (such as I have come in contact with) are different in this country from the old: they have no respect to character so that they make money, and generally obey the Engineer's orders or evade them, according to their opportunities of escape from the consequences, while the Company's servants are either obliged to obey or be dismissed; and I have learned so much in this country, that any laxity or carelessness, even to the danger of life and limb, is thought very little of.

It is my wish, in carrying on the business of this road under you, to make my portion of it, at least, an example to all the roads on the continent for safety and speed.

Your most obedient servant,

WILLIAM SCOTT,
Assist. Engineer W. D.

C. J. BRYDGES, Esq., &c., &c.

(A 2.)

Copy of Letter from C. J. Brydges, 12th May, 1854, to William Scott, relative to Switches.

G. W. R. R.,
HAMILTON, 12th May, 1854.

DEAR SIR,—In passing over the line between London and Lobo, I noticed that very few of the switches leading into the main line were the regular main line

signal switches, I shall be glad if you will have them remedied at once, as I wish all switches leading into the main line to be of one description, and to have the proper lamps attached thereto.

I have directed Mr. Chapman to intimate to the Conductors of all trains that use the main line, and all men at switches leading on the main line, that they are under the control of the Traffic Department, and must conform to such instructions as may from time to time be issued to them. Mr. Chapman will therefore see that they are properly supplied with our book of regulations, &c. Of course so long as they conform to my directions in regard to the use of the main line, I do not wish to interfere with your arrangements in regard to the use of the trains for ballasting, &c.

Yours truly,
(Signed,) C. J. BRYDGES,
Managing Director.

WM. SCOTT, Esq.

(A 3.)

Copy of Letter from Wm. Scott, Esq., to C. J. Brydges, 5th June, 1854, on the subject of Lobo accident and sufficiency of Cars.

ACCIDENT AT LONDON.

(Private.)

5th June, 1854.

DEAR SIR,—On Saturday I carefully examined the cars and place of accident. I believe the great loss of life was occasioned by the bad fixing of the seats in the 2nd-class cars. I would strongly advise that all the seats of those cars should be firmly fixed to the bottoms with iron knees, so as to make a good firm hold in case of accident. It is quite evident that these giving way, the whole living freight was shot to the lower end of the car, and the result was great loss of life, although the shell of the car was comparatively uninjured.

Yours truly,
WILLIAM SCOTT.

C. J. BRYDGES, Esq., &c., &c.

(A 4.)

Copy of Letter from J. C. Brydges to Wm. Scott, dated 8th June, 1854, respecting Lobo accidents and Seats in Cars.

G. W. R. W.,
HAMILTON, 8th June, 1854.

DEAR SIR,—Referring to your note of the 5th instant, I would beg to say that there was no one killed in the car which was stripped of its seats; you must have been entirely misinformed upon this matter. No doubt it is very desirable that the seats should be firmly secured.

Yours truly,
(Signed,) C. J. BRYDGES.

WM. SCOTT, Esq.

(A 5.)

Copy of Letter from W. Scott to J. C. Brydges, 30th July, 1854, respecting delays of Trains.

ENGINEER'S OFFICE G. W. R. W.,
WINDSOR, 30th Jan., 1854.

(Private.)

DEAR SIR,—You will, I hope, excuse me for calling your attention to matters when perhaps you may consider I have no legitimate right to interfere ; but as it is privately to yourself, and to make you acquainted with matters which no doubt you are ignorant of, and which will very soon have an injurious tendency on the road, and bring your management into discredit without your being aware of the causes.

On Saturday I found that, with or without cause, our stops averaged at all stations 20 minutes, and that on the Central Division I believe the stoppages exceeded or balanced the running time ; while on the Western Division 1 hour and 25 minutes was consumed in stoppages which should not in the aggregate have exceeded 15 or 20 minutes, for the supply of water at Lobo and Wardsville were taken in 3 or 4 minutes each. I do not send this as an official report ; I merely wish to make you aware of it, as the complaints from passengers were long and loud ; and I believe until you find men properly accustomed to conduct the trains in this part of the world, you will have the stoppings a very slow affair, and the driving is anything but regular generally, altho' I believe the man who drove from London to Chatham to be a good man. If permitted, I will keep you informed of any matters I may see requiring your attention, as I am sure you can apply the remedy yourself.

Yours very truly,
WILLIAM SCOTT.

C. J. BRYDGES, Esq., &c., &c.

(A 6.)

Copy of Letter from W. Scott to J. C. Brydges, 14th February, 1854, respecting Engines.

ENGINEER'S OFFICE G. W. R. W.,
WINDSOR, 14th Feb., 1854.

DEAR SIR,—I beg to report that the engines Huron and Erie are quite inadequate to supply the wants of this division for ballasting and other purposes, so as to render the road safe after the thaw commences. The Erie I will wholly detach to work the slopes off the large cuttings near London, under Mr. Russell, who will be ready to commence operations as soon as the cars reach London.

Those engines are altogether unfit (even if there were sufficient of them) to run and carry a load any long distances, and I believe they will either do little or no work, or else be constantly found in the way on the track. For ballasting and work on the Western Division, when the hauls will necessarily be long, engines of the first-class only should be employed. They should be able to keep out of the way of a train, and yet carry a large load.

Mr. Harris says he has got the contract for ballasting this division. I have not received any official intimation or copy of contract, and until I do, I cannot recognize him in that capacity.

Yours truly,

WILLIAM SCOTT,
Division Engineer.

C. J. BRYDGES, Esq.,
Managing Director G. W. R. W.

(A 7.)

Copy of Letter from W. Scott to J. C. Brydges, 20th February, 1854, complaining of Trains being late.

ENGINEER'S OFFICE G. W. R. W.
20th February, 1854.

DEAR SIR,—It has been reported to me that on Friday night, the 17th, and Saturday, the 18th, the train late at London made excessive running to make up time on my Division more particularly on the latter day, where they were 40 minutes late in London, and arrived in Windsor 15 minutes before time. The time stated in the time tables is quite fast enough on an unballasted road; and, therefore, I hope you will put a stop to such irregularities, as I cannot be answerable for consequences, and any accidents that may occur will be solely attributable to such irregular conduct on the part of the drivers.

Dear Sir, yours most obedient,

WILLIAM SCOTT,
Division Engineer.

C. J. BRYDGES, Esquire,
Managing Director G. W. R. W.

(A 8.)

Copy of Letter from W. Scott to J. C. Brydges, 4th March, 1854, complaining of Mr. Bowman and Driver of the Huron.

ENGINEER'S OFFICE G. W. R. W.
WINDSOR, 4th March, 1854.

DEAR SIR,—I find there has been slips on the Dredge's bank, east of Geanett's Creek, and it was necessary yesterday to stop the Freight train, until it was made up. I am afraid of trouble, and Mr. Bowman has sent a driver to take charge of the Huron, who has lost 6 trains of ballast in 2 days, which the conductor tells me was from incapacity, (see copy of my note to Mr. B.), and he was sent to this without any notification being sent to me of the change. There was a perfectly competent man on her, placed by Mr. Hanson, with my sanction; if this engine is used up and injured from incompetence, I can only say that the plains will become shortly impassable, and 6 trains lost in 2 days at this time is not to be repaired.

Yours truly,

WILLIAM SCOTT,
Division Engineer.

C. J. BRYDGES, Esquire, &c. &c.

(A 9.)

Copy of Letter to Wm. Bowman from Wm. Scott, of 27th February, 1854, respecting Time Table and running of the Cars.

ENGINEER'S OFFICE G. W. R. W.
WINDSOR, 27th February, 1854.

DEAR SIR,—I am in receipt of your favour of the 22nd instant, and I have sufficient evidence from parties that were on the road that your time bill is not correct. They run at a much greater speed than necessary, but as you have forbidden it, I will not say any more. The stops at Stations are too long.

Yours truly,

WILLIAM SCOTT.

To WILLIAM BOWMAN, Esquire.

(A 10.)

Copy of Letter from Wm. Scott to Wm. Bowman, 4th March, 1854, respecting Driver of Huron, &c.

ENGINEER'S OFFICE G. W. R. W.
WINDSOR, 4th March, 1854.

DEAR SIR,—The man whom you have sent to drive the Huron, I believe is not competent for that task. Yesterday 4 trains of ballast were lost, and to-day there were two lost; at this rate the Plains will never be ballasted, and they want it badly. I think when any changes are made in the Drivers attached to Ballast trains, I should be made acquainted with it; you have appointed this man without as much as letting me know you have made any change.

Yours truly,

WILLIAM SCOTT,
Division Engineer.

WILLIAM BOWMAN, Esquire, &c. &c.

(A 11.)

Copy of Letter from W. Scott to J. C. Brydges, 14th February, 1854, complaining of irregularity in Freight Trains.

ENGINEER'S OFFICE G. W. R. W.
WINDSOR, 14th February, 1854.

DEAR SIR,—I find in ballasting and hauling material that I can hardly do any work with the small Engines, in consequence of the irregularity of the Freight Trains; sometimes they come and sometimes not, generally out of all time. Are we to wait for them?

Yours truly,

WILLIAM SCOTT,
Division Engineer.

C. J. BRYDGES, Esquire,
Managing Director.

(A 12.)

Copy of Letter from J. C. Brydges, 16th February, 1854, to Wm. Scott, respecting Freight Trains.

G. W. R. R.

HAMILTON, C. W., 16th February, 1854.

DEAR SIR,—The Freight Trains are above being re-arranged, and I hope we shall be able to make them keep better time shortly. I cannot sanction ballast trains running out on any regular train time.

I am, Dear Sir, yours faithfully,

(Signed,)

C. J. BRYDGES,

Managing Director.

Per H. KNAPP, Headman.

W. SCOTT, Esquire.

Extract from Contract between George F. Harris and the G. W. R. Company, for the ballasting of the Company's Railway.

HAMILTON, 7th December, 1854.

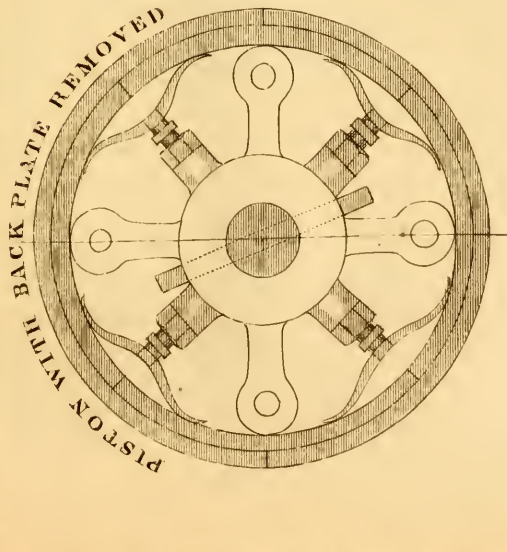
“ That the said Company, their successors and assigns, shall have the nomination and appointment of the conductors, engine drivers, firemen and switchtenders of or to the said locomotives, (viz. locomotives used by contractor in executing his contract), or in relation thereto, and each and every of them at all times during the period that they or any of them shall be in the hands or power of the said contractor, his executors or administrators, and that he said contractor, his executors or administrators shall not employ any person or persons as conductor, engine driver, fireman or switchtender to the said locomotives or in relation thereto, other than such person or persons as are or at any time hereafter may be appointed or nominated by the said Company, their successors or assigns ; and the said contractor, his executors or administrators shall and will bear and pay the wages and remuneration of and to the said conductors, engine drivers, firemen and switchtenders, and supply and provide at his or their own proper cost and expense all the working and running expenses, material, repairs, renovations, matters and things necessary or used in, upon and for the said locomotives and cars respectively.

“ That the said contractor, his executors or administrators shall not be responsible for damage or loss occasioned by the negligent conduct of the conductors, engine drivers, firemen or switchtenders, or any of them employed as aforesaid, in their respective capacities, unless the said conductors, engine drivers, firemen or switchtenders were, or any of them were or was, whilst guilty of such negligent conduct, acting by the directions or consent of the said contractor, his executors or administrators, in contravention of any of the stipulations of these presents.”

N^o 13

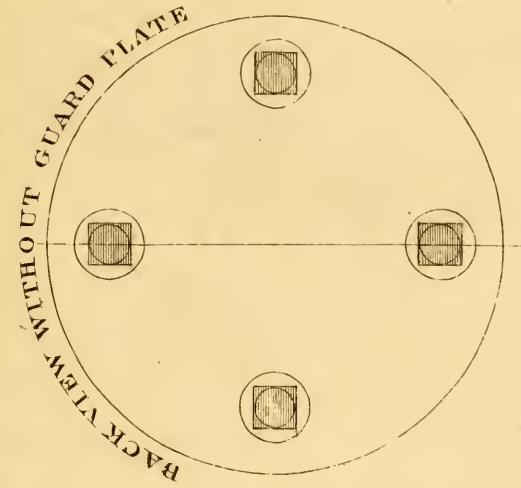
DIAGRAM

SHEWING THE POSITION OF SCREW BOLTS IN PISTON HEAD AND PRESENT CONTRIVANCE TO PREVENT THE RECURRENCE OF SUCH AN ACCIDENT

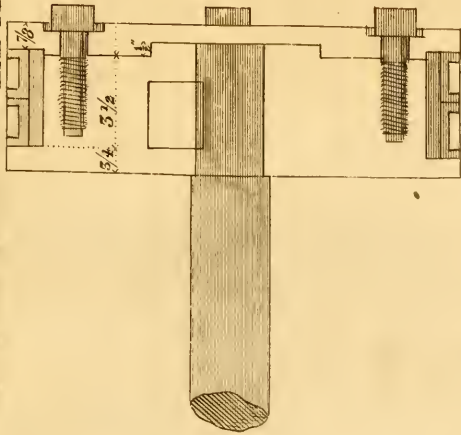


PLAN

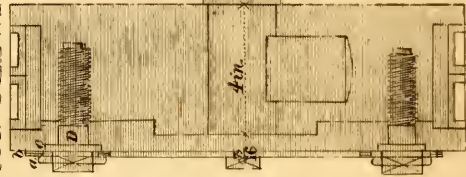
MONTRANT LA POSITION DES ÉCROUES DANS LA TÊTE DU PISTON, ET MOYEN MAINTENANT EMPLOYÉ POUR PRÉVENIR LEUR ÉCHAPPEMENT



SECTION WITHOUT GUARD PLATE



SECTION SHEWING GUARD PLATE



a. Represents a split pin through the head of the bolt *D* securing the plate to every bolt thus if one bolt breaks the force maintaining ones keep the plate in over the collar *C* which is turned solid in every bolt making it impossible for any bolt to fall out of its proper place.

G. W. R.

16 inch Piston

Showing the new guard plate for preventing the bolts from falling out of their places in case of breakage. Scale 1/8 size.

ACCIDENT AT PRINCETON.—JUNE 27, 1854.

See evidence of C. J. Brydges, Esq., No. 2.

ACCIDENT AT THOROLD.—JULY 6, 1854.

See evidence of C. J. Brydges, Esq., No. 2.

Deposition of Frederick William Watkins, Hamilton, 7th December, 1854.

FREDERICK WILLIAM WATKINS, of the City of Hamilton, dry goods merchant, being duly sworn, deposes and saith: that he and others left Niagara Falls for Hamilton, by the express train of the Great Western Railway Company, at 10-30, of the morning of Thursday the 6th day of July last past. Among other passengers he was accompanied by Messrs. John Galbraith, Levi Beemer and Lindsay Crawford, of the City of Hamilton. They occupied the last car of the train. The train consisted of locomotive, tender, baggage car, American express car, two second class passenger cars and three first class passenger cars. The night was moon light and clear. The train, after leaving Niagara, had proceeded at a rate of about 20 miles an hour. On reaching a spot about three quarters of a mile east of the Bridge over the Welland Canal at Thorold, felt a sudden concussion and dragging of the train; the train stopped, and thereupon the Deponent and others got out to ascertain the cause; proceeded to the forepart of the train, found the first of the two second class cars of the train removed from off the tracks and wheels, and thrown on its side across the road in a cutting which might be about eight feet deep. The car filled up the whole cutting from side to side, being jammed across. The next car in the train, another second class car, had by the force of progression rushed into the car first above mentioned, and striking it on the south side of the road, where the car was jammed against the Bank, crushed it, and the passengers it contained. Found the car to be a heap of ruin; several of the inmates were killed, seven in number, and fourteen or more wounded. The sufferers were all foreign emigrants, Norwegians, as Deponent heard and believes. They could not speak English, and consequently could not make themselves understood. Deponent and his friends immediately went to work to extricate the wounded and the dead. All the train in advance of the first second class passenger car had become detached, and had gone on towards Thorold. Some time elapsed before tools could be procured to enable the Deponent and friends to assist those who were hurt; jack screws were produced after considerable delay; does not know by whom, but in a very inefficient state; No other loss were forthcoming except one car; with great difficulty and labour the dead and wounded were got out; some hours had elapsed before this was done. Upon enquiry into the causes of the accident, learned that it had been occasioned by the locomotive, having struck a horse at about three hundred yards from the spot where the car had been finally crushed. Proceeded to the place where the horse had been struck, found the remains of the animal on the track; from the marks seen, it appeared to have been struck and killed at the distance last above mentioned. From the manner in which

the ties were cut and marked by the wheels, it was evident that the car must have left the track immediately after the collision with the horse; heard no sound of alarm; no whistle from the engine before the collision. In the opinion of the Deponent, if the train had been stopped when the collision with the horse first took place, the subsequent fatal consequence to the passenger car would not have taken place. The car although off the tracks would not have been removed from the tracks or wheels, or thrown upon its side or, of a consequence, have been crushed by the car which followed. The fences in the vicinity of the line were incomplete; indeed a little further on, there was no fence at all.

F. W. WATKINS.

Acknowledged and sworn before us,
At Hamilton, 7th December, 1854.
WILLIAM F. COFFIN.

Deposition of John Galbraith, 7th December, 1854.

JOHN GALBRAITH, of the City of Hamilton, grocer, being duly sworn, deposeth and saith: I have heard the deposition of Frederick W. Watkins, taken before the Commissioners on the seventh day of December instant, and say that I am the John Galbraith therein named; and I further state that the deposition of Mr. Watkins is true in substance and in fact. After the accident occurred, I spoke to the engine driver of the train, and asked him how the accident happened, and he said that he had run over three horses. He did not say how long he had seen the horses on the track, nor whether he could have avoided running them down. I myself only saw two horses; one of these was killed instantly, and remained upon the track—the other was standing at the side of the track with its shoulder injured, as if it had been struck by the locomotive. I am a stockholder in the Great Western Railway Company, and take an interest in its welfare.

JOHN GALBRAITH.

Taken, sworn and acknowledged before us,
at Hamilton, this 7th day of December, 1854.
WILLIAM F. COFFIN,
M. C. CAMERON.

Deposition of Lindsay Crawford, 7th December, 1854.

LINDSAY CRAWFORD, of the City of Hamilton, dry-goods merchant, being duly sworn, deposeth and saith: I have heard the deposition of Frederick W. Watkins, taken on the seventh day of December before the Commissioners, and say that I am the Lindsay Crawford therein named; and I further state that Mr. Watkins' deposition is true in substance and in fact.

LINDSAY CRAWFORD.

Taken, acknowledged and sworn before us,
at Hamilton, this 7th day of December, 1854.
WILLIAM F. COFFIN,
M. C. CAMERON.

Deposition of Levi Beemer, 7th December, 1854

LEVI BEEMER, of the City of Hamilton, jeweller, being duly sworn, deposeth and saith: I have heard the deposition of Frederick W. Watkins, taken on the seventh day of December instant before the Commissioners, and say that I am the Levi Beemer therein named; and further state that Mr. Watkins' deposition is true in substance and in fact.

LEVI BEEMER.

Taken, sworn and acknowledged before us,
at Hamilton, this seventh day of December, 1854.

WILLIAM F. COFFIN,
W. F. CRAWFORD.

Deposition of Dr. Mack, 7th December, 1854.

THEOPHILUS MACK, of the Town of St. Catharines, in the County of Lincoln, Esquire, M.D., being duly sworn, deposeth and saith: that on or about the seventh day of July last past, he was called upon by Mr. Woodward, a Civil Engineer in the employ of the Great Western Railway Company, and by the Conductor of the passenger train, named Matthews, who requested deponent to afford his professional services to attend certain persons who had suffered from the effects of an accident which had taken place near the Thorold Station. Deponent went with them to the St. Catharine's Station, where he found a locomotive engine and one freight ear, containing all the surviving wounded; there were seven who had been hurt; found them all suffering from contusions, and one little girl who was severely injured. These parties, with one exception, were Germans—supposed to be Norwegians. Not considering the case of these people to be so urgent as those at the scene of the accident, deponent, after directing that they should be removed to a hotel and properly cared for, proceeded to the spot on the freight ear. He found several dead bodies, and one person still alive under the ruins of the crushed car, who died shortly after deponent got there. Directed one wounded child to be brought down in the freight car back to St. Catharines, and returned himself with the engine-driver on the locomotive. On the way conversed with him and his fireman on the subject of the accident. The driver, whose name deponent does not know, stated, on enquiry, that, on approaching the Thorold Station, he saw three horses on the left hand side of the train. Either the driver or the fireman stated that they had whistled to drive off the animals. Driver added, that the horses crossed the track, and, in crossing, the engine struck them both; one was thrown off the track, and the other struck down, run over and killed. In reply to a question from Mr. Woodward, the engineer, who was also on the locomotive, the driver stated that, on striking the horse, he directed his fireman to brake up, which statement was confirmed by the fireman, who added, that he had done all he could; they both affirmed that the way on the train was too great to stop immediately. Did not pull up until they reached Thorold Station. Deponent considers the distance between Thorold Station and the place where marks and cuts on the ties indicated that the car had first left the track, to be about three quarters of a mile. The night of the occurrence was clear moonlight. Returned from the scene of the accident between twelve and two; at this time the night was clear, as above described.

THEOPHS. MACK.

Sworn before us, at St. Catharines,
this 7th day of December, 1854.

WILLIAM F. COFFIN,
M. C. CAMERON.

Deposition of Charles F. Woodward, St. Catharine, 7th December, 1854.

CHARLES F. WOODWARD, of the Town of St. Catharine, gentleman, being duly sworn, deposeth and saith: that he is a Civil Engineer by profession, and has been in the employ of the Great Western Railway Company; remembers an accident which took place upon the road, near the Canal Bridge in Thorold early in July last; it occurred at night. Deponent was at the St. Catharines House Hotel when the conductor of the express train going west came in and informed him that the train had met with an accident, and that several of the passengers were killed and wounded; accompanied the conductor to Dr. Mack's, and with the Doctor repaired to the scene of the accident; found a passenger car destroyed in the cutting east of the Thorold Station, and several persons killed thereby. Heard the engine driver ascribe the accident to horses having crossed the track, one of which had been killed, thereby throwing the first second class passenger car off the track; went with Dr. Mack to inspect the spot where the occurrence took place which had caused the accident; saw the carcase of the horse, also noticed the spot where the car had first left the rail, having thereupon, cut into and indented some, and broken others of the ties; should say the car had been dragged from the place where it first left the rail to the spot where it was upset and crushed, at least three hundred yards. Heard the engine driver say that on discovering that he had struck the horse he had whistled and had applied the brakes. Deponent could not understand how with the brakes applied and the drag of the car in addition, the train should have proceeded so far without being brought to a stop. The place where the horse was first struck was about half a mile from the Bridge over the Welland Canal at Thorold. The orders and rules of the Company at that time prescribed that the Canal Bridge should be approached with great caution, and that the train should be made to run slow before reaching it. Deponent has no distinct recollection whether the night was light or dark.

CHARLES F. WOODWARD.

Sworn before us, at St. Catharine, 7th Dec. 1854.

WILLIAM F. COFFIN,

M. C. CAMERON.

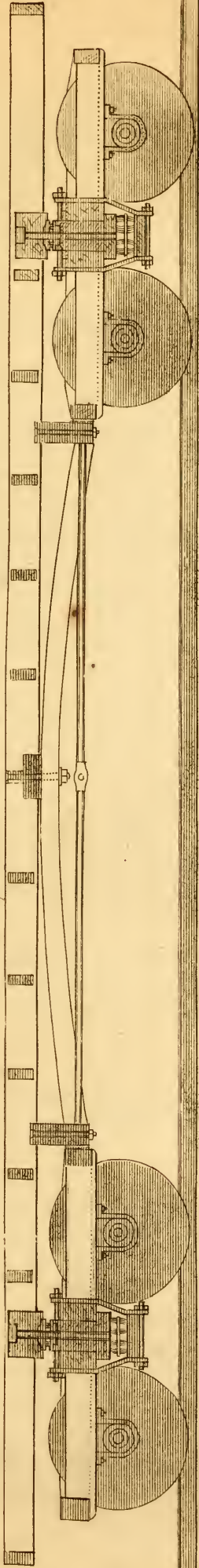
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DIAGRAM & PLAN OF PROPOSED

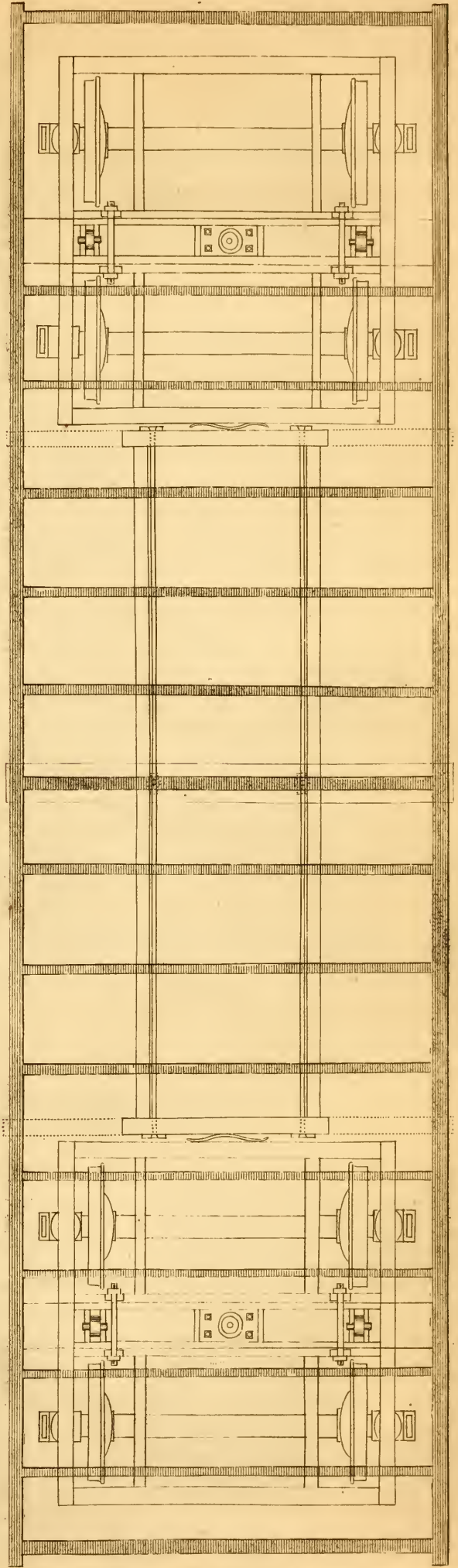
**IMPROVED CONSTRUCTION OF CAR SOAS TO PREVENT THE TRUCK FROM
SLEWING ROUND WHEN THE WHEELS GET ACCIDENTALLY OFF THE TRACK** | **DANS LA CONSTRUCTION DES CHARS POUR EMPÊCHER LE SOUS-CHARIOT DE
TOURNER QUAND LES ROUES ACCIDENTELLEMENT LAISSENT LA RAINURE**

PLAN DES AMÉLIORATIONS PROPOSÉES

LONGITUDINAL SECTION



PLAN



THE UNIVERSITY OF CHICAGO
LIBRARY

DETENTION AT BAPTISTE CREEK, AND FATAL CONSEQUENCES,
JULY 2, 1844.

See Evidence of C. J. Brydges, Esquire, at Baptiste Creek accident.

Statement of ALEXANDER BARTLETT, Coroner, Windsor, Nov. 28, 1854.

ALEXANDER BARTLETT, of the Village of Windsor, in the County of Essex, gentleman, one of the Coroners of said County, deposeth and saith : that on the third day of July last, an Inquest was held by the Deponent on the dody of four Norwegians Emigrants brought with other Emigrants by the cars of the Great Western Railway to Windsor, on the second day of the said month of July, and I now produce the evidence taken before me on that occasion, marked " A 13 " which was to the best of my judgment correctly taken. I also produce the verdict of the Jury, rendered on the said Inquest marked " A 14." On the seventeenth of August last, a child about fourteen years of age, the daughter of a German Emigrant, named John Hegner, was killed on the cars of the Great Western Railway, between the Belle River Station of the Great Western Railway and Windsor, at about eleven miles from Windsor. On the eighteenth I held an Inquest on the body of the said child by name Margaret Hegner, and from the best evidence that could be obtained the Jury on the said Inquest found that the said Margaret Hegner had been killed while a passenger in the Great Western Railway cars as aforesaid by a blow inflicted upon the head of the said child while looking out of the window of the car in which she was, but what had inflicted the blow or in what manner it had been done, the Jury were unable to say, and there was no evidence to establish it though diligent enquiry was made, and all the persons likely to know any thing about the matter were examined on the inquest.

ALEXANDER BARTLETT.

Taken and acknowledge the 28th day of November, 1854.

WILLIAM F. COFFIN,
M. C. CAMERON.

Evidence of an inquest on Cholera cases.

County of Essex, }
to wit. }

Information of the witnesses severally taken and acknowledged, on behalf of our Sovereign Lady the Queen, touching the death of four Norwegian Emigrants, at the Commercial Store in the Village of Windsor, in the County of Essex, on the third day of July, 1854, in the seventeenth year of the reign of our Sovereign Lady the Queen Victoria, &c., before Alexander Bartlett, Esquire, one of the Coroners of said County, on an inquisition then and there taken on view of the bodies of four Norwegian Emigrants, then and there lying dead, as follows, to wit :

A. K. DEWSON, M. D., of the Village of Windsor, upon his oath, saith : in the afternoon of Sunday the 1st July, about half past five o'clock, I met you (Coroner). You, in your official capacity, requested me to proceed with you to the Depot of the Great Western Railway, that you were about to proceed to hold an Inquest

upon the body of one of the Emigrants who was lying dead in one of the freight cars on our way ; we crossed the platform in connection with the passenger Depot ; we saw several persons lying in a state of collapse, or blue stage of Cholera. I remarked to you in viewing the same on the platform that there was sufficient cause to prove the death of the Emigrants. I further stated that I deemed it unnecessary to hold an Inquest on the body of the deceased, since then there have been four other deaths have occurred at the building used temporarily as an Hospital among the Emigrants, the same as those that were lying on the platform ; my opinion is that those four Emigrants died from Cholera. I was informed by the only one that could speak english, that the first symptoms of Cholera appeared on the places between this and Chatham. I understood him further to say that they were detained there and suffered much from the want of pure water and heat ; it was there they began their vomiting and purging and cramps ; that they appeared to have suffered from the want of sufficient ventilation in the cars, a number having come on freight cars. I think detention on the road if the cars are much crowded would accelerate the diseases of cholera. Frequently cholera will be produced by sudden prostration from want of water or sufficient food ; my opinion is that if there were more than thirty in a freight car, there would be too many at this season of the year. I think that the want of seats, thereby causing fatigue of body, would have a tendence to promote the disease. I have seen the four dead bodies that are now the subject of the Inquest.

There were seats in the car where the dead body was found. I saw seats in several other freight cars. I am not aware from my own knowledge, that any Emigrants have come to this place in cars without seats. The disease might have occurred in the usual railway accommodation for such passengers. They might have landed from shipboard with the disease lurking about them, as Emigrant ships are often very dirty. The car in which the death took place was not the usual car for the accommodation of passengers, it was a freight car. The Emigrants were not physically so strong as the usual class of Emigrants ; they were particularly dirty and filthy in their habits and persons. It would be imprudent to put such a class of people in great numbers in a car.

ALFRED K. DEWSON, M. D.

JOHN MARTIN, upon oath saith : I am from Austria, arrived yesterday 2nd July, in the afternoon, by the Great Western Railway, in the company of the Emigrants ; some were sick in the car in which I was, but none were dead. There was no windows in the car in which I was ; there were twelve seats in the car ; on each seat there were five, six and seven ; some of them were children ; I did not see any car without seats ; I paid for myself, my wife and child eight dollars and a quarter as passage money from Hamilton ; left Hamilton on friday, the thirtieth June ; after sun down came on to a little station ; did not remember the name where ; we remained until sunday morning between six and seven o'clock ; all those that came to Windsor came over the Road with me. I came from Quebec with those Emigrants ; there were three of the Emigrants who died on the way from Quebec to Hamilton. We were inspected by two doctors at Quebec ; the three apparently died of cholera ; on one side of the car the door was shut ; I think there was between forty and fifty in the car I was in.

MARTHA JOHANN.

JAMES FISHER, upon oath, saith : I was with Mr. Gordon when he received the night express which arrived here on Sunday the 2d July. There were several second class cars and also several freight cars containing Emigrants. I in general look through the cars when they arrive ; did so yesterday ; all the freight cars in which were Emigrants had rough convenient seats ; for such a class of passengers I did not think the cars were overcrowded ; I think the second class cars were more crowded than the freight cars, and had more appearance of disease among the passengers. In England and Scotland, where I have been connected with Railways, the class of cars used for Emigrants are cattle cars ; those are open cars with no roof overhead, but merely a railing around them. I am of opinion that there was as much ventilation in the freight cars yesterday as there was in the second class. I am yardsman in the employ of the Great Western Railway at Windsor Station. I have never seen any neglect on the part of the Great Western Railway Company towards Emigrants since I came to their employ. Every assistance was rendered to the Emigrants on their distress by the Officers of the Company at the Windsor Station, after they arrived. There are three different classes of cars and fares both in England and in Scotland ; and I cannot say whether there are more than two fares on the Great Western Railway. There are cattle carried on the same cars, the Emigrants came on yesterday. The open cars used in England are mostly used for short distances, say one hundred miles ; I am of opinion there were not more than twenty-eight to thirty in the freight cars.

JAMES FISHER.

Inquest and finding of Jury on Cholera Cases, at Windsor.

COUNTY OF ESSEX, }
to wit : }

An Inquisition indented taken for our Sovereign Lady the Queen, at the Village of Windsor, in the County of Essex, the third day of July, 1854, and the seventeenth year of the reign of our Sovereign Lady Queen Victoria, &c., before Alexander Bartlet, gentleman, one of the Coroners of our said Lady the Queen, for the said County, on view of the bodies of four Norwegian emigrants, then and there lying dead ; upon the oath of Isaac Askew, W. B. Herons, George Shippy, John Fimsterre, John MacRae, Geo. Cliff, Robert Reeves, John B. Ryan, A. B. Sutton, Jacob Brown, John Hutton, J. D. Askin, A. Bampton, good and lawful men of the village of Windsor, duly sworn, and charged to inquire for our said Lady the Queen when, where, how, and after what manner the said emigrants, whose names to the jury are unknown, came to their death—do upon their oath say that the said emigrants did labour under a grievous disease, to wit, Cholera ; and that on the said third day of July, in the year aforesaid, at the Village of Windsor, they, the said four Norwegian emigrants, departed this life by disease of Cholera. The jury further add, that they are of opinion that though the deceased emigrants might have been affected with cholera before they arrived at Hamilton, yet their deaths were accelerated by the manner in which they were conveyed by the Great Western Railway Company, being placed in unventilated cars in too great numbers, and without sufficient comforts for this season of the year, and, also, from detention on the way from Hamilton to Windsor. And so the jurors aforesaid, upon their oath aforesaid, do say, that

the said four Norwegian emigrants came to their death in the manner and by the means aforesaid. In witness whereof, as well the said Coroner as the Jurors aforesaid, have to this Inquisition set their hands and seals on the day and year, and at the place first above mentioned.

Deposition of Samuel Smith McDonell, Esquire, Reeve of Windsor, London, 25th November, 1854.

SAMUEL SMITH McDONELL, of the Village of Windsor, in the County of Essex, Barrister-at-Law, Reeve of the Municipality of the Village of Windsor, being duly sworn, deposeth and saith: I am Reeve of the Village of Windsor, and have been since January last. I was Chairman of the Board of Health for the said village established in the beginning of July last; that on the second of July last a number of emigrants, called Norwegians, were brought to Windsor by the cars of the Great Western Railway. They were brought as I am informed and believe in freight cars, not second class passenger cars, and many of them were taken from the cars sick and dying on their arrival at Windsor; of these emigrants I believe twenty-nine died, other emigrants arrived afterwards, and between the second of July and the middle of August, there were upwards of fifty emigrants died and about fifteen of the residents of Windsor. I have understood, and believe, that the cars or some of them that brought the emigrants to Windsor on the second of July, had been detained at a place called Baptiste Creek, in consequence of some accident that had occurred there or near there. The land at Baptiste Creek is low, flat and marshy, and it is considered to be an unhealthy locality, and according to my judgment an unfit place to leave a number of emigrants at. There is no accommodations for passengers, and parties left there would have to avail themselves of the shelter afforded by the cars. As chairman of the Board of Health, I had several communications with different officers of the Great Western Railway Company, on the subject of providing for the sick and the burial of the dead; and it was arranged between Mr. David D. Chapman, on behalf of the Company, and the Board of Health, that the Board of Health should be allowed to use a storehouse of the Company, at Moy, about a mile north of Windsor on the Detroit River, as a Cholera Hospital, until the 11th of August last, and the Company were to defray the expense of providing coffins for and the burial of the emigrants who might die from cholera, and that all emigrants should be left at Moy, and transported across the river from that point to Detroit. These arrangements were adhered to by the Company until the 11th of August last, when they ceased, and the Company refused to bury the dead or to renew these arrangements at all. The expense occasioned to the Municipality of Windsor by the necessity imposed upon it of providing for those afflicted with cholera was £125, besides private subscriptions and gratuitous services rendered by the humane of the village. I think Isaac Ashew, of Windsor, Henry Prince, of Sandwich, John W. Blackadder, John M. Ewan and Alexander Gordon, of Windsor, will be able to give more precise information respecting the detention of emigrants at Baptiste Creek and the sickness of emigrants at Windsor.

SAMUEL S. MACDONELL.

Taken and acknowledged before us, at London,
this 25th day of November, 1854.

WILLIAM F. COFFIN,
M. C. CAMERON.

*Statement with reference to Norwegian Emigrants detained at Baptiste Creek,
2nd July, 1854.*

ALFRED K. DEWSON, of the Village of Windsor, Esquire, M. D. states: that on Sunday, the second day of July, 1854, he had been to church at Detroit, and on returning to Windsor about 5 o'clock in the afternoon, was informed on board the Ferry Boat by the Captain that my services were required at the Railroad Station House, close by, to attend a number of sick then lying there; on repairing to the Station House I found three or more cars standing there; I cannot say precisely how many cars, but the passengers had been disembarked and were scattered about; they were about 200 in number; they were all foreigners; emigrants; Norwegians, as I was told; I could not understand their language nor could they make themselves understood; my attention was first drawn to body of a man lying dead in one of the freight cars; he had died of cholera; I was informed that he had died that day on his way down from Baptiste Creek from whence I was told those emigrants had been brought; I forthwith gave all the attention in my power to the remainder of the emigrants; I found several of them sick in various stages of cholera; by permission of Mr. Scott the Engineer of the Company, I removed the whole of them to a shed or store house the property of the Great Western Railroad Company, and provided them with food and some blankets; the weather at the time was intensely hot; on Monday the 3rd by 6 o'clock P. M. eight adults and one child had died; on the Tuesday the 4th two adults died; on the 5th two more; on the 6th two more, one adult and one child; on the 7th died one adult and one child; on the 8th died four, two adults and two children; on the 9th died one adult and one child; on the 10th one died; on the 11th two and on the 12th two; making in all twenty-nine who died all of cholera, excepting four or five children who died of measles; on the Saturday the 1st July, we had one case of cholera in the Town of Windsor, subsequently the local cases increased; I was informed that these emigrants ought to have been in Windsor on the Saturday about noon, but had been detained on the siding at Baptiste Creek for many hours; inquest were held on the bodies by Mr. Bertlet the Coroner, who has the evidence taken in these cases. One woman had an abortion on her way down from Baptiste Creek, and had almost flooded to death. The car was in a most dreadful state; she survived, but would have died had she remained much longer in the car; one other woman was in labour when the car arrived, and was delivered of a child that night about 11 P. M.; a third woman was also confined on the Monday morning in the Station House. On the Monday morning two medical gentlemen came over from Detroit and examined all these emigrants, not permitting any to proceed across the river to Detroit who were not free from disease; they left about forty of them at Windsor; there may have been more deaths than those mentioned above.

ALFRED K. DEWSON, M. D.

Signed and acknowledged before us,

WILLIAM F. COFFIN,

M. C. CAMERON.

28th November, 1854.

Statement of Alexander Gordon, Windsor, 28th November, 1854.

ALEXANDER GORDON, of the Village of Windsor, in the County of Essex, gentleman, deposeth and saith: I was Station Master of the Great Western Railway

Company at the Windsor Station from the opening of the road in the month of January last to the thirty-first day of July last past. I recollect the arrival of a train of cars from the east on Sunday, the second day of July last; it was the only train of cars that arrived at Windsor on that day; it consisted of nine freight cars and two second-class passenger cars, and two or three first-class passenger. They arrived at the Windsor Station at about half-past four in the afternoon. Six of the freight cars contained Norwegian emigrants; another of the freight cars contained emigrants and baggage; the two second-class cars also contained emigrants; the two other freight cars contained baggage. The freight cars with the emigrants in had boards placed across for seats, and calculated to contain five persons on a seat, and there were twelve seats in each car, so that each car was calculated to contain sixty persons. There were about six hundred persons in all arrived by this train. I am aware that a portion of these emigrants had been left at Baptiste Creek, about thirty-two miles from Windsor, on the Saturday previous, in the cars in which they had been conveyed from Hamilton. It is very swampy at Baptiste Creek, and there was no Station there for the accommodation of passengers, and no houses nearer than a mile, and it would be impossible for a large number of persons to get provisions in that neighborhood. There was one person dead in the first of the freight cars containing emigrants in the train when it reached Windsor, and there were thirty-three of the emigrants fell upon the platform of the Station just after they got out of the cars, having been attacked with cholera. On the following night nine of these persons died and were buried, and others became sick; and of the emigrants who arrived in this train at least fifty-seven adults died, and a number of children, but what number, I cannot say exactly, though I should think ten or eleven. The freight cars were open at the sides for about five feet in the centre, with slats nailed across this opening; in all other respects the cars were quite close, with no opening in the roof nor in the front or rear. My impression is that there were no cases of cholera out of the second-class cars; those persons who fell upon the platform, after the arrival of the cars, came out of the freight cars. The freight cars are twenty-nine feet by eight feet and a half inside measure. I am quite satisfied that the emigrants who died of cholera were all, or nearly all, among those that were detained at Baptiste Creek. The cholera among the emigrants continued for about eleven days. I was among the cholera patients night and day during the continuance of the malady, and had frequently to superintend the burial of the dead; the men under me refusing to perform the service without my sharing in the danger. I received great assistance from Dr. Alfred K. Dewson, of Windsor, Doctor Hewitt, of Detroit, and several other medical men from Detroit, who volunteered their professional services. And Mr. Isaac Askew, of Windsor, was most indefatigable in his attention to the sick, being constantly with them night and day, and rendered them every assistance he possibly could—having been unable, from his unremitting attention, to take off his clothes from the Monday to the Thursday after the cholera first broke out—and he still continued his exertions until the cholera disappeared. Mr. John McEwen also aided us until he himself was taken ill with the cholera; Mrs. McEwen also paid great attention to the females who were attacked by the disease, and behaved in an exceedingly humane and courageous manner. J. W. Blackadder also rendered us very material assistance, and some few others aided us in a lesser degree; but there was a general panic, and it was impossible to get nurses, and nearly so to find persons to bury the dead. I believe the emigrants were left at

Baptiste Creek, as above mentioned, at the request of David Chapman ; this was reported to me on the arrival of the train on Sunday, but by whom, I do not now recollect ; I have no doubt, however, that the report was correct. Mr. Chapman was the Local Superintendent of the Western Division of the road from London to Windsor. He is now, I believe, General Assistant Freight Manager, and is stationed at Hamilton.

ALEX. GORDON.

Taken, acknowledged and sworn before us,
this 28th day of November, 1854.

WILLIAM C. COFFIN,
M. C. CAMERON.

Statement of Isaac Askew, of Amherstburg, Windsor, 28th November, 1854.

ISAAC ASKEW, of Amherstburg, in the County of Essex, Farmer and Builder, deposeth and saith : that he happened to be in Windsor, having on hand contracts for erecting certain buildings, having arrived from Amherstburg, on the morning of Monday the third day of July. On arriving, was informed that a large number of Emigrants, foreigners, supposed to be Norwegians, had arrived in Windsor, by a train of the Great Western Railway Company, on the preceding evening, and that many of them were sick of the cholera. He immediately offered his assistance to attend upon the sick, and continued to attend upon them during the whole month of July. At this time there were about sixty persons lying sick, some about the Railway Depot, and others who had been conveyed to Troy. To the best of my estimation fifty, at least, died of Cholera or of its effects. Heard that about six hundred Emigrants had been brought to Windsor, and this led him to inquire into the manner and means of conveyance provided for them. Found that a great portion of the said Emigrants had been conveyed to Windsor in freight cars temporarily fitted for their reception. There stood upon the track several cars so fitted, and two or three second class passenger cars. Was Foreman of a Jury summoned by the Coroner of Woodstock to investigate the cause of the death of four of those who had been conveyed in said cars, and in company with the Jury, visited the same. From the enquiries made personally, as well as from the evidence produced before the Inquest, understood that on an average at least fifty Emigrants had been placed in each car. Each freight car is twenty-nine feet long, eight and a half feet wide and about seven feet high, having sliding doors at the sides which when open, leave apertures of four feet six inches wide. There is no other means of ventilating such cars. Is satisfied that the transporting such number in a car of this description, more especially at this hot season of the year must be most unhealthy and conducive to disease. He understood and has no doubt that a large number of these Emigrants had come from Baptiste Creek, where they had been detained a night and a day, know Baptiste Creek to be a low marshy and unwholesome place. This delay of twenty-four hours must have caused great sufferings to the inmates of such cars. They must have quenched the thirst caused by crowding and the heat of the weather by drinking the water of the swamp. Knows from the locality of Baptiste Creek the impossibility of procuring food there for any number of person, the nearest house is about a mile and a quarter from the Creek, and there are not above two or three houses within miles, except on the line of the road it is not

possible or at least very difficult to move about, the swamp itself being impracticable. The sick survivors of the Emigrants who arrived at Windsor on the evening of the second of July, were conveyed to Moy, of these about fifty died, and the disease extending to the inhabitants of Windsor, about thirty of them died of cholera also. Mr. Alexander Gordon, the station master of the Great Western Railway Company, showed himself indefatigable in his endeavours to relieve the sufferings and provide for the wants of these persons, and Mr. Misely, his successor, also imitated his example.

This deposition having been read to the witness, he declare the same to contain the truth and has signed.

ISAAC ASKEW.

Acknowledged and sworn before me,
this 28th day of November, 1854.

WILLIAM F. COFFIN,
M. C. CAMERON.

Windsor, Statement of John Wright Blackadder, November 28, 1854.

JOHN WRIGHT BLACKADDER, of the Town of Windsor, Merchant, deposeth and saith: that he was a Member of the Board of Health for the Town of Windsor, appointed to the Office in the month of June, in consequence of the apprehensions of cholera which then existed. That on the afternoon of Sunday the second of July, was called upon in his capacity of a Member of the Board of Health, and informed that a train of the Great Western Railway Company had arrived from the East bringing a large number of Emigrants some of whom were sick of the cholera. Repaired at once to the Railway station, and there found a large number of Emigrants, all foreigners; believed them to have been Norwegians. Many of them were afflicted with cholera in various stages of the disease; about fifteen were in a state of prostration from which they never recovered; took measure at once for the accommodation of the sick and to provide them with medical assistance; by about eleven o'clock on the night of the same day, Sunday, they were all disposed of in a temporary hospital at Moy; believes that of this body of Emigrants about twenty-five died; understood after the Inquest that the Emigrants so received at Windsor, and who so died, had been detained for twenty-four hours at Baptiste creek; know Baptiste Creek to be a wild, desolate place in a marsh, with very few residents near and not affording sustenance for any number of people, and that the water being swamp, water must be pernicious at a season when the heat is great and epidemic raging. The cholera subsequently increased in the Town of Windsor, about thirty or forty of the inhabitants died of it to the best of Deponent's recollection. Mr. McEwen and Mr. Alex. Gordon, both in the employ of the Company and Mr. Askew showed the most unwearied devotion to the care of the sick.

The said deposition having been read to the witness, he declares the same to contain the truth, and has signed.

J. W. BLACKADDER.

Acknowledged and sworn before us,
this 28th November, 1854.

WILLIAM F. COFFIN,
M. C. CAMERON.

Statement of Daniel Allen, Windsor, 28th November, 1854.

DANIEL ALLEN, of the Village of Windsor, in the County of Essex, laborer, deposeth and saith: I am Night Watch at Windsor Station. I recollect the arrival of a train of cars from the East at the Windsor Station on the afternoon of Sunday, the second day of July last. I was then road-watch at Moy, about one mile from Windsor; my duty as road-watch was to keep cattle off the track for about a mile and a half. I was on the watch on the Sunday afternoon above mentioned, and saw the train pass; it was between three and four o'clock, to the best of my knowledge; it was the only train that passed that day. I counted four freight cars with emigrants in, three second-class passenger cars also containing emigrants, and there were at least three other freight cars, and perhaps more, but what they contained, I cannot say. The doors on the side on which I was standing were closed; I do not know whether the doors on the other side of these cars were closed or not. The cars with emigrants in seemed to me to be crowded. I was told by the servants of the Company, and by the brakeman in the cars, that these emigrants were brought that day from Baptiste Creek, where they had been left a night and a day. I saw the emigrants who had come by this train about an hour afterwards; I was told there were about six hundred; I did not myself think there were so many. Mr. Matthews, I believe, was the conductor of this train, but I did not see him. I am quite sure there were three second-class passenger cars. I cannot say whether the train was drawn by or pushed before the locomotive. I was at the hospital at Moy day and night, and know that of the emigrants who came by this train twenty persons died; I counted in all forty-four persons dead, but there were others died that I did not see. There were some emigrants came to the hospital sick who arrived by other trains afterwards, but they only came in one or two at a time; the total number I cannot tell. Mr. Alexander Gordon, the station-master, was very attentive and unwearied in his exertions on behalf of the sick; Mr. Askew and Mr. Blackadder were also very diligent in their attention at the hospital; I saw them there late and early; I was there nearly all the time from the arrival of the emigrants there on the Sunday above mentioned until the last of July; for the first three days I was never in bed night or day, my whole time being taken up in attending to the sick.

DANIEL ALLEN.

Taken, acknowledged and sworn before us,
this 28th day of November, 1854.

WILLIAM F. COFFIN,

M. C. CAMERON.

Statement, upon oath, of Charles Baby, Esquire, of Sandwich, 28th Nov., 1854.

CHARLES BABY, of the Town of Sandwich, in the County of Essex, Esquire, Barrister-at-Law, deposes and says: that on Sunday, the second day of July last past, he was on his return to Sandwich from the east by a train of the Great Western Railway Company, which ought to have reached Windsor on the morning of Sunday, as aforesaid, but, in consequence of a detention at Hamilton, did not reach Chatham until the afternoon of that day. Deponent says that on reaching a place called Baptiste Creek, between Chatham and Windsor, certain cars

containing emigrants, which deponent understood to be Norwegian emigrants, were found to be standing on the siding there awaiting conveyance to Windsor. Understood that these emigrants had been delayed at Baptiste Creek from the preceding evening ; heard afterwards that they had been detained there twenty-two hours. - Saw many of these emigrants wandering about on the track, and some of them looked very sick ; one woman in particular was put into a second-class passenger car in a very exhausted state. Heard the man who had been left in charge of the emigrant car complain to the conductor of the train in which deponent came up, that he had been left for so many hours at Baptiste Creek, saying that he had been unable to procure food for himself, except by walking three or four miles, and had been overcharged for what he had got. Believes that the car at Baptiste Creek—the precise description of which he does not remember—was attached to the rear of the train. Observed that some emigrants were placed in freight cars with slabs nailed across the doors, but cannot say whether the said cars were attached to the train at Paris or at Baptiste Creek. Had been detained all night, from midnight until morning, at Hamilton, by a break or interruption of the road. During this time the saloon was closed, and the passengers could neither obtain refreshments nor accommodation, nor, indeed, information from the servants of the Company, to the great annoyance of the passengers in the train. He is aware that certain cars laden with emigrants had been taken on at Paris, but cannot say how many or of what description. Heard nothing of sickness among the emigrants at Paris.

The foregoing having been read to the deponent, he declares the same to contain the truth, and has signed.

CHS. BABY.

Acknowledged and sworn before us,
at Windsor, this 28th Nov., 1854.

WILLIAM F. COFFIN,
M. C. CAMERON.

Deposition of David Chapman, 2nd December, 1854.

DAVID CHAPMAN, of Hamilton, being duly sworn, deposes and saith: that he is from England, that he has been in Canada since January 1854; that he came out to this country for the purpose of filling a situation on the Great Western Railway of Canada; had been previously employed for about seven years on railways in England; had been superintendent of the Rosendale Branch of the East Lancashire Railway; on arriving in the country was first made station master at London, afterwards was appointed local superintendent of the western division of the road; is at present freight superintendent; his duties consist in superintending all branches of the freighting department; the in-door work, the clerks who receive, enter, invoice or way bill goods, and prepare accounts of and for the same; also the correspondance of the department; he manages also all the men employed in the out-door work in receiving, distributing and delivering freight whether at the terminus or at way stations; has filled the latter appointment since the 20th November last past; the removal of the men of the department for intemperance or insubordination; as well as that of freight agents at station is placed at his discretion; should not hesitate to use the power if rendered necessary by misconduct; the appointment of men to fill

the place of those removed would rest with him, that is to say, on his recommendation with the approval of Mr. Brydges, the managing director; have had occasion to discharge some of the men, porters and others, but no freight agents; knows nothing personally of men named Mathewson, Sutherland and Pasco at Woodstock, or of their habits, not having been long enough in the superintendence of the central division of the road; knows that there is one Mathewson, a clerk in the freight office at Woodstock; have not had the opportunity yet of making himself acquainted with the men of his department on the line; his duties having chiefly been in the office at Hamilton since the end of August; has not been over the line more than half a dozen times during that period, and then chiefly from Hamilton West; was local superintendent of the western division of the road in July last; in that capacity had the power to order out and employ any of the locomotives or cars on that part of the line; on the 1st July (a Saturday) left Windsor with the night express train proceeding east at 6-30 P. M., as he believe; the train consisted, as well as witness can remember, of engine, tender, one baggage car, and three first class cars, also an American express car; on arriving at Rochester, about 19 miles from Windsor, found that a gravelling engine in going into a siding, had got off the track, and entirely obstructed the passage; uncoupled the engine and went back to Windsor; there telegraphed the train from the east at Chatham to come on to Rochester, and having obtained men and assistance, returned to Rochester; The eastern train arrived on the other side of the obstruction at Rochester shortly after he got there; finding that some time must elapse before the obstruction could be removed, on consultation with M. William Scott, the division engineer of the western division, resolved to exchange the passengers of the two trains and back either of them respectively to Windsor and to Chatham; the passengers of the eastern train were transferred to the western cars, that is to say the first class passengers the second class passenger could not be transferred in like manner, as the western cars were not sufficient for their accommodation; the first class passengers were crowded as it was; the eastern train then backed up with the second class passenger car to Baptiste Creek, thirteen and a half miles; were on consultation with engine driver; finding that wood and water were running short, determined to lighten the train by leaving two cars at Baptiste Creek siding; believe that two cars only were left, one laden with emigrants, the other with emigrant's baggage; went into one of the cars for the purpose of explaining to the emigrants the cause of the detention, but found no one who could speak english; observed that there was a good many people in the car; there was no wood at the Baptiste Creek station, but there was a pumping tank for the gravel engine to which we could not get access; ordered one Donaldson, who was a brakesman on the eastern train, and one Hogan a switchman at Baptiste Creek to take charge of the emigrants and to send them on by the night express going west; this train would have been due at Baptiste Creek about five o'clock in the morning: went on with the remainder of the train to Chatham and from thence to London, where he stopped; does not know if there was an available engine at Chatham, but should not have sent it, to the assistance of the emigrants relying as he relied on the arrival of the night express going west; was very much fatigued and went to sleep in office; saw the night express pass through London, going west, as he thinks about eleven o'clock in the forenoon; believe that the name of the conductor was Hertford; after it had passed, went to see a conductor at the Hotel who was sick; believes that he told Hertford

himself to stop at Baptiste Creek, but having given order to that effect at Chatham, is not sure ; did not know that any of the emigrants at Baptiste Creek were sick when he left them.

D. CHAPMAN.

Statement of James Fisher, Windsor, 20th November, 1854.

JAMES FISHER, of the Village of Windsor, in the County of Essex, yardsman, of the Great Western Railway Company, at the Windsor station, deposeth and saith : It is my duty as yardsman to keep a book and enter therein the time of the arrival and departure of the trains and the number of cars in each train. I was yardsman on the second day of July last. On the second day of July last, a train arrived at five minutes past four o'clock P. M., consisting of ten cars, exclusive of tender and locomotive, namely : three first class passenger cars, two second class cars, one baggage car and four freight cars, this I take from my book now in my hands. The conductor who brought this train was Mr. Hertford, with the locomotive Hercules ; a number of Emigrants arrived by the train ; I think there were about four hundred, one was dead and a number was sick with cholera. I understood that some of these cars had been left at Baptiste Creek on Saturday ; how many, I do not know, my impression is that all the cars, first class, second class and freight cars contained Emigrants ; I cannot say whether there were any first class passengers or not in the cars in this occasion.

JAMES FISHER.

Taken, acknowledged and sworn before us,
this 28th day of November, 1854.

WILLIAM F. COFFIN,
M. C. CAMERON.

Deposition of William V. Andrews, Station Master at Paris, Hamilton, 5th December, 1854.

WILLIAM V. ANDREWS, of the Township of Dumfries, Station Master of the Great Western Railway Company, at the Paris Station, being duly sworn, deposeth and saith : I have been Station Master at the Paris since April last. I do not recollect that a number of emigrants were left at Paris on their way westward, and taken on afterwards on Sunday, the second day of July. It is possible that three cars of emigrants might have been left at the Paris station about the beginning of July or last of June, as I was ill and not discharging my duties as station master, and if they were so left it must have been while I was unwell, for I have no recollection of the circumstance, Mr. Palmer or Mr. Minty must have been doing my duty at the time. I only recollect of one emigrant dying at Paris of cholera, and this one died during my illness, and I only know it by report. Emigrants were frequently carried in freight cars as they were too numerous for the accommodation we had in the second class passenger cars. Freight cars will carry from thirty to forty persons when the seats are well arranged. I think I have never seen more than forty emigrants in one freight car. There was no sickness among emigrants at the Paris station, except the case I have above mentioned, as far as I am aware. I have no instructions from Mr. Brydges or any other person not to give information to persons making en-

quiries on any subject. I refused to give information to a gentleman who asked me to do so on the fourth day of December instant, respecting some Norwegian emigrants left or supposed to have been left at the Paris station in July last; the gentleman told me who he was and why he asked for the information. He said he was one of the Commissioners appointed by the Government to enquire into certain matters connected with the Great Western Railway. I still refused to give him any information unless he shewed his credentials. He subsequently served me with a summons to give evidence, and I now give evidence in consequence of such summons. I cannot say whether I was ill or not in the latter end of June or beginning of July; but if there were three car loads of emigrants left at the Paris station about that time, I must have then been ill for, as I have stated before, I have no recollection of the circumstance.

W. V. ANDREWS, S. M.

Taken and acknowledged before us, at
Hamilton, this 5th day of December, 1854.

WILLIAM F. COFFIN,
M. C. CAMERON

Report of accident which befel Gravel Engine, at Rochester, 2nd July, 1854.

WINDSOR, 2nd JULY, 1854.

Dear Sir,—I leave to report that the Engine Norfolk, with Gravel Train, was thrown off the track of Baptiste creek under the following circumstances:

By the heat of the weather the rails expanded more than the space allowed between the Joints of Rails so that the switch arms bound endways and prevented the free action of the switch; in bringing the switch over, it was so light that the man endeavoring to force it over bent the lever, the man moved it over as far as the lever would allow, but it being bent, did not bring the metals fair with each other; the switchman also neglected putting in the securing pin; the result was the Engine struck or bound against the switch rail that projected past the line of track, pulled the switch over and caused the Engine to leave the track, the truck and forward driving wheel went off the track across the switch, and the hind part went off across the main track, so that she lay almost at right angles with the track, her truck much broken.

Your's truly,
(Signed,) C. F. HANSON.

W. BOWMAN, Esqr.,

GREAT WESTERN RAILWAY, MECHANICAL DEPARTMENT,

HAMILTON, C. W., 12TH DECR., 1854.

W. F. COFFIN, Esqr.,
Sir,

I beg leave to enclose you copy of Report from the Locomotive Foreman, Windsor, relative to the Engine "Norfolk" getting off the tract at Baptiste Creek, on the 1st of July last.

I am, Sir,

Your Most Obedient Servant,

For W. BOWMAN.
JOHN ANDERSON.

See also Evidences of John Hogan, Charles Gallagher and John Smith, at Baptiste Creek accident.

Letter from Board of Health, Windsor, to C. J. Brydges, Managing Director Great Western Railway.

WINDSOR, July 4, 1854.

SIR,—We, as members of the Windsor Board of Health, have been appointed a Committee to address you, and through you the Board of Directors of the Great Western Railway, and we have to beg your most special and urgent attention to our representations, believing as we do that they embody not only the sentiments of our fellow members of the Board of Health, but the unanimous voice of the people of Windsor and its vicinities ; and that we have to protest in the name of the people of Windsor against the reckless conduct shewn by the employees of the Company, at Hamilton, in cooping up within close freight cars at this hot season of the year emigrants lately landed from shipboard. From the verdict of the Jurors on the Coroner's Inquest, held on the bodies of some of these poor unfortunates, (with which we believe you have already been furnished,) you will perceive that blame is attached to the Company through their employees for forwarding them to this point in such ill-ventulated cars, and we will venture to say scarcely adapted for the conveyance of cattle, much less of human beings.

Secondly,—The Health Officers of Detroit having refused to receive them in such a state as they were when landed here on Sunday afternoon, they were thus thrown on the hands of the people of Windsor, who nobly came forward and meet the emergency, doing all they could to relieve their sufferings. Too much praise cannot be awarded to Alex. Gordon, Esq., Station Master at this end of the Railway, for the prompt and vigorous measures he took on the occasion. In fact all the employees here did their duty on the trying occasion faithfully and well, but if these scenes are to be repeated as it is even now whispered that there are more emigrants on their way to the West, we don't know how diseased they may be, we venture to say that their patience will be completely exhausted, as even now difficulty being found in procuring men to put the bodies of these victims of cholera into their coffins and graves.

Thirdly,—It is completely unreasonable that a young Municipality like Windsor, just struggling into existence, should be burdened with these cholera victims, foreigners, thrust in upon them in a diseased state at a time when all its means and energies are wanted to guard the health of its own population, suffering somewhat also from cholera, and some of which we think can be traced to have had its origin from these poor Daniel and a Norwegian emigrants, thus recklessly thrust into their midst.

Fourthly,—Though there is no lack of humanity and disinterested benevolence among the people of Windsor, they have no hospital fit for the reception of these sick persons, nor a staff of medical officers to attend them nor funds ample enough to meet the wants of the case ; and they would suggest that Hamilton is the proper point for them to perform quarantine in, where there is a good hospital, a good staff of medical men, and with that under the immediate supervision of the Directors who could easily grant means sufficient to liquidate the necessary expenses attendant thereon.

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In view of these facts, the Directors may rest assured that the people of Windsor will not submit to be taxed for the expenses attending upon the care of these or other sick emigrants forced in on them by the Great Western Railway Company, and the Board of Health of Windsor are determined to use no means untried nor stop short of any authority they have or can acquire to prevent the intrusion of these sick within the bounds of the Municipality. They think they are only discharging a duty they owe their fellow citizens in thus throwing all the responsibility of the consequences which may ensue therefrom on the Great Western Railway Company.

C. J. BRYDGES, Esquire,
Managing Director,
Hamilton.

Letter from C. J. Brydges to Board of Health, Windsor, 6th July, 1854.

GREAT WESTERN RAILWAY,
HAMILTON, Canada West, 6th July, 1854.

GENTLEMEN,—I have the honor to acknowledge the receipt of your letter of the 4th inst., written at the request of the Windsor Board of Health.

In reply thereto, I beg to say that it was with very great regret that the Directors of this Co. heard of the illness with which some of the emigrant passengers by their trains were afflicted. It has at the same time afforded them much pleasure to hear from your letter that the officers of the Co. at Windsor had so promptly attended to the wants of those unfortunate persons.

I must at the same time altogether dissent from some of the remarks made in your letter, and I am sure that a careful consideration of all the circumstances of the case will lead you to modify your views. In the first place, I may say that the carriages in which the emigrants are conveyed are not, as you seem to suppose, altogether unventilated. The fact is, that these cars are far better ventilated than many of the ordinary passenger cars; and I may add, that the cars in which emigrants are carried upon this line are, generally speaking, at least as good as any in use upon this continent.

It must be evident that this Co. has no power whatever to establish "quarantine," and that, as public carriers, they are bound to carry all persons who present themselves and are prepared to pay the established rates of fare; and you will at once see that the Co. are not at liberty to select those they will convey. These emigrants are not brought to this country by the Great Western Railway; the poor creatures select Quebec as the point they will land at in their journey to this western world; and the quarantine establishment at the former place prevents them from being landed if they are affected with any contagious disease. It is, however, notorious, that the confinement of a long voyage, and the bad and insufficient food which they get, induces such debility, that the hot weather they experience here, coupled with the well understood effect of lake water upon strangers, prostrates their already weakened strength, and every point at which they pause in their journey from Quebec, has to receive some of them in a dead or dying state. This has been the case at Hamilton to a considerable extent, many poor creatures having died upon the wharf where they were landed from

the steamer. The hospital here is now filled with them ; and at Paris, London, and other places on the line, they are frequently so ill as to be forced to be left behind at those places. None in a state of illness do leave our Station, as considerable pains are taken to send them in the healthiest and cleanest state that circumstances admit of. You will thus see that the Town of Windsor has not been placed in a different position from any other place on the route which these emigrants travel from Quebec, and that the Great Western Railway Co. not only do not cause the evil of which you complain, but take all possible steps to reduce it to a minimum.

I have the honor to be,
Gentlemen,

Your most obedient servant,

C. J. BRYDGES,
Managing Director.

To JAMES CUTHBERTSON, Esq.,
SAMUEL DOUGALL, Esq., and
J. W. BLACKADDER, Esq.

MISCELLANEOUS EVIDENCES AND DOCUMENTS.

Statement of John H. Greer, Esquire, London 24th November 1854.

JOHN H. GREER, of Dundas, in the Township of Ancaster in the County of Wentworth, Esquire, states : that he was in the employ of the Great Western Railway Company from the first day of February 1854 to the 7th September of the same year, when he left the service of the Company at his own requests and received from the Board as an honorable acknowledgment of his services while in their employ the sum of fifty pounds sterling in addition to his salary, as a gratuity ; That far from entertaining any ill feeling against the Company, he fully appreciated the compliment he then received, and has every feeling and wish for the prosperity and success of the Great Western Railway, and in that view regrets much the feeling of dissatisfaction which exists with respect to that Company. That this dissatisfaction arise from the irregularity and want of system with which the business of the Company is conducted ; that the men employed in the transaction of the business of the Company are addicted to habits of intemperance ; that without ascribing any such habits to the managing director, the officials immediately subordinate to him are addicted to habits of smoking or of drinking, which whether they may produce intoxication or not, have a bad effect and exercises a bad influence over those who are subordinate to them. The interests of the Public are identical with the interests of the Company inasmuch as the Province has taken and holds stock in the Great Western Railway to the extent of five hundred thousand pounds currency. It is therefore in every respect desirable that the enterprize should work well. Does not consider Mr. Brydges the managing director to be competent to manage the details of a large freight and passenger business ; this requires much practical experience ; a knowledge of men and of the management and controul of men ; in the subordinate departments of a freight conveying business whether on a rail road or otherwise can only be acquired by a proper apprenticeship and long experience ; Mr. Brydges does not exhibit indications

of such experience ; as an illustration of this statement would call attention to the occurrence of a land slide at Dundas which interrupted the traffic of the road in the month of March last ; at this time about two hundred and fifty or sixty cars were awaiting transmission or discharge of their freight for the Great Western Railway at different points on the line of the New York central R. R. from Niagara Falls to Utica, wherever accommodation could be found for them. These cars were laden with merchandize, some destined for Hamilton, some for Toronto, and others for American destinations in the west ; no efforts or arrangements were made to receive or accommodate this freight at Hamilton or at the stations east of Hamilton temporarily, until the land slip at Dundas had been repaired ; this was not attempted to the great disappointment and dissatisfaction of the parties concerned. This circumstance may admit of explanation, but would not affect his opinion of Mr. Brydges experience and competency to manage such a business derived from his observation of the man, and from a personal acquaintance with the forwarding business of twenty years standing. Any man travelling the length of the line who hears the complaints of merchants and traders and of the public generally from Niagara Falls to Windsor, would soon find sufficient proof of the defects in the management ; when complaints are multitudinous and are known to be well founded, they afford sufficient proof that the management is bad, because it is in the power of the management to correct the faults of subordinates ; conceives that one remedy for the present state of things would be to employ competent freight agents and to compensate them in a way to make it their interest to remain in the service of the Company. They should be paid adequate salaries and be provided with comfortable dwellings so as to keep a man near his work, and to make him feel that he has something to lose if he does wrong. The freight conductors also should be carefully selected ; the chief reason why deponent left the service of the Company was because he did not find things to work harmoniously or in a manner satisfactory to himself, or likely to reflect credit on any of the parties concerned.

And the foregoing having been read to the said John H. Green, he declares the same to contain the truth, and has signed.

JOHN H. GREEN.

Acknowledged and sworn before us,
at London, C. W. the 24th November 1854.

WILLIAM F. COFFIN,
M. C. CAMERON.

Deposition of John Finkle, Esquire, Woodstock, 2nd December, 1854.

JOHN FINKLE, of the Town of Woodstock, in the County of Oxford, Esquire, deposeth and saith : that he is Reeve of the Town of Woodstock, and is well acquainted with Benjamin Sutherland, Richard Pasco, and Mathewson, of Woodstock. Heard Mathewson say that he was in the employ of the Great Western Railway Company. Knows the three men above named to be men of intemperate habits, and unfit for any employment which involves risk of life or the safety of the public, especially upon Railroads.

JOHN FINKLE.

Acknowledged and sworn before us, this
2nd December, 1854, at Woodstock.

WILLIAM F. COFFIN,
M. C. CAMERON.

Deposition of George H. Whitehead, Woodstock, 2nd December, 1854.

GEORGE H. WHITEHEAD, of the Town of Woodstock, in the County of Oxford, Esquire, being duly sworn, deposeth and saith : that I was a passenger on the cars of the Great Western Railway from Woodstock to Hamilton on the evening of the 24th day of October last, and left Woodstock about eight in the evening by the accommodation train that should have left at fifty-two minutes past six. On our arrival at Flamboro the train met with some obstruction and was stopped suddenly ; I did not learn the nature of the obstruction till I reached Hamilton, when I was informed that a wood train had run off the track between Dundas and the Flamboro station, and that the engine driver of the locomotive had gone to Fairchild's Creek to get a locomotive ; that in the meantime a freight train from Hamilton going westward had taken up the wood train, had come on to the station, and that the engine driver of the accommodation train had either disregarded the signals shewn by the freight train or had not observed them, and a collision in consequence was very near taking place. I also understood that the engine driver on being remonstrated with by some of the passengers was exceedingly impertinent, but as my informant was a stranger to me I do not know his name. Of my own knowledge I know nothing of the obstruction above mentioned, except that the train was suddenly stopped. I know one Benjamin Sutherland who was formerly a watchman in the service of the Great Western Railway at the Woodstock station, and am aware that he was unfit from habits of intoxication to discharge the duties of a watchman, and ought not to be employed about a Railway.

GEO. W. WHITEHEAD.

Taken, sworn and acknowledged at Woodstock,
this 2nd day of December, 1854.

WILLIAM F. COFFIN,
M. C. CAMERON.

Deposition of William Grey, Esquire, Woodstock, 2nd December, 1854.

WILLIAM GREY, of the Town of Woodstock, in the County of Oxford, Esquire, deposeth and saith : that he has resided in this part of the country for twenty years, and is well acquainted with the inhabitants thereof. Has taken much interest in the progress and in the success of the Great Western Railway. Is a Stockholder of the Company. Consider certain persons employed by the Company to have been unjudiciously selected. The men so employed were unfit for the employment in consequence of being addicted to habitual drinking. It is notorious in Woodstock that such were the habits of the men. One named Benjamin Sutherland, and the other Richard Pasco, had both been employed as watchmen. A third person, whose name deponent cannot recall, was employed as gatekeeper at some little distance from the town on the east ; he was killed on the track in August or September last ; deponent has heard that he was a person of intemperate habits ; did not know him personally. There is also a person now employed in a gravel-pit to the east of Woodstock, named John Mathewson, whose habits make him unfit for any situation of trust or in any way involving the safety of the public. Knows that one of the above-named, Benjamin Sutherland was dismissed from the service of the Company ; but such

men as these ought never to have been appointed. The public safety ought never to have been entrusted to such men. Consider that the duties imposed upon the station-masters are too onerous to be performed to the satisfaction of themselves and the public.

WILLIAM GREY.

Acknowledged and sworn before us,
at Woodstock, this 2nd Dec., 1854.

WILLIAM F. COFFIN,
M. C. CAMERON.

Statement of the Hon. Malcolm Cameron with reference to collision on the night of 10th November, on the Great Western Railroad.

Memorandum of my recollection of the accident on Friday evening upon the Great Western Railroad.

We were passing from Wardsville to Chatham, and passed the Thamesville station at a rapid pace about a quarter before seven; night dark and rainy. Suddenly felt a severe concussion just after passing the bridge, was thrown forward from my seat, all the passengers were moved and some rose and ran towards the rear in great confusion. I went forward and found we had come in collision with a freight train coming up from Chatham and had smashed the cow scrapers of both engines to pieces, and thrown the engine of the express train off the rail. I immediately suggested that *flambeaux* should be sent both ways on the line, as I understood that before nine a train would come both from East and West. Mr. Gregory, who was on the spot, said he had already sent the proper signals *red lights* both ways; being uneasy, I went back to the bridge and found a red light there and saw another at the Thamesville station, as I thought all right. Meantime all hands were busy clearing away the wreck of cow scrapers and their getting chains from farms, there being none on board, these were used to hitch the freight train's engine to ours to haul us on to the track which after about three hours was managed. We enquired how this occurred, and were told that Mr. Brydges was at Chatham and had on the arrival of the freight train, told them they must wait till we came, but after being there some time, he told them they were to go on, but it was long after this before they got under way—Mr. Patrick Smith, of London, who was passenger in freight train, told me this. One said it was owing to the Wardsville telegraph man not having told us to stop at Thamesville. But we learned from all the men on freight train that they had been afraid and had kept a look-out, and so were enabled when they saw us coming to stop half way and even got her going a stern, which no doubt saved us from a more fearful catastrophe than the last. A gentleman of Detroit who had gone on the trains on his way to New York, on Wednesday of last week, said the same occurred but being in the day-time on an air line, they stopped the train so well that they barely touched each other, and I hear that the very day before a similar thing took place.

MALCOLM CAMERON.

Detroit, November 11, 1854.

Statement of William F. Coffin, Esquire, with reference to Collision on the Great Western Railroad, on the night of 10th November, 1854.

The lightning express train was proceeding west from London to Chatham. It reached Wardsville a few minutes after six P. M. Had passed Thamesville and the bridge over the river about a mile. The night was dark and rainy. I was seated at the extreme end of the last car. Suddenly I heard the alarm whistle and signal to "brake." Instantly thereupon a concussion took place. Persons in the can near me were thrown down and thrown forward. Proceeded forward to inquire the cause. Found the passengers in the forward car in a state of great alarm. The forward car had felt the shock more severely than the rear-most. The train consisted of locomotive, tender, baggage car, and four first-class passenger cars. Was told that the locomotive had met some obstruction and had run off track. On reaching front of the second passenger car, found that the coupling rod had broken, and a space of eight or ten feet intervening between the cars. The two hindmost cars had bounded back upon the track that distance. Scrambled along the side of the embankment to the locomotive of express train. Found the driving wheels off the track, and the cow-catcher broken up under the wheels of the truck. In front stood another locomotive with cow-catcher also smashed. They had been in collision. The latter locomotive had brought freight, or rather "mixed" train from Chatham, and was running for Thamesville siding, when it encountered express train a mile and a half on the Chatham side of Thamesville. The mixed train had broken away from the locomotive by the violence of the shock, and had run back by its own weight some hundred yards or more. Passengers per mixed train stated that, on arriving at Chatham from Windsor, they had been told to disembark, as their train would await there the arrival of the express train. Afterwards was told to get in, as the train would proceed. Did get in, and did proceed, after some delay, until the collision took place. Engine-driver and conductor of mixed train stated that Mr. Brydges, the manager of the road, was at Chatham, and had himself ordered the train to proceed on to Thamesville Station. Mr Gregory, the superintendent, expressed his astonishment that Mr. Brydges should have given such an order after what had recently taken place (referring to the gravel-train accident of the 27th October). Some hours were occupied in disentangling and removing broken cow-catchers, and in getting the express locomotive on the rail again. Backed up to Thamesville. By this time three or four trains had collected there: two coming from the west—our own, (the express,) and another, I think, from the east. Reached Chatham about one o'clock A. M.

SATURDAY MORNING, 11th Nov.

Went up to the Chatham Station to inquire into the circumstances of the collision of the preceding night. Saw Mr. Brodie, the station agent, and _____, the telegraph operator—a lad of about 14 years of age. Mr. Brodie stated that the "mixed" train going east had reached Chatham from Windsor on time 5.20 P. M. That at 5.25 the Wardsville Station was telegraphed:—

"To Mr. McFARLANE.

"Freight going east is here, and will shunt at Thamesville for the lightning express going west. Answer.

"J. SMITH."

A N S W E R .

“WARDSVILLE, Nov. 10, 1854.

“I will inform conductor of lightning express that freight train will be at
“Thamesville.

“McFARLANE.”

Some delay took place handling freight. Mr. Brydges, the managing director, being at Chatham Station, sent the following message to Wardsville. It is on the telegraph minute book in Mr. Brydges' hand writing:—

“Let the express come on here. The freight will wait till she gets here.

“Answer.

“BRODIE.”

This last message was not acknowledged by the Wardsville operator—he was absent; so Mr. Brydges ordered the freight train, or “mixed” train, to proceed on to Thamesville Station.

The Chatham telegraph operator states that, in sending the third message, he called Wardsville repeatedly without answer. Presumes the operator had gone to his supper. The time was 5.40 P. M. No fixed hours for operators to take their meals. Office hours understood to be from 8, A.M. to 8, P.M. Could have continued calling until answered, if he had been told to do so.

It is stated that Mr. McFarlane, the station agent at Wardsville, did not deliver his message to the conductor of the lightning express, as ordered by the first telegraph sent, but mentioned the fact to Mr. Muir, one of the superintendents or chief agents of the line, who was in the express train.

The safe course would have been to have kept the mixed train at Chatham until the express had passed. In cases of railroad difficulty, when there is a doubt, it should always be given on the safe side. Mr. Brydges evidently had such doubt.

WILLIAM F. COFFIN,

Statement made by Col. Orville B. Dibble, an old, well known and esteemed citizen of Detroit, and proprietor of the Biddle House Hotel in that city, Nov. 13, 1854.

As one taking a deep interest in the welfare of the City of Detroit, I have taken and still take great interest in the success of the Canada Great Western Railroad. It is an enterprise of the first importance to this City; it has enlisted the sympathies and raised the expectations of our citizens: I am concerned to say, that those expectations have been disappointed. Since its opening, about a year since, the road has encountered many disasters; There may to some extent be looked upon as incidental to a new road, opened under peculiar circumstances; but these difficulties have increased instead of decreased in progress of time and an interval which has always led to amelioration on other roads, has led to still greater embarrassment on this. I see number of the most intelligent travellers, and hear constant complaints. The trains which, at first, ran irregularly, now keep no time at all, and make no connections, while the accidents on the road have increased frightfully in frequency and magnitude. The effect of all this is to

direct the western travel by the New York Central and other lines from the Great Western Road and Detroit, to the south shore of Lake Erie and other lines of travel ; all this had led the best friends of the Great Western to look more closely into matters and to endeavor to discover the cause of their disappointment ; so many, so continued and such general misfortunes can only be ascribed to some radical defect in the management. I am far from wishing to detract from the merit of Mr. Brydges, the managing Director of the Road. He is assiduous, zealous and anxious to do what is right ; but it is questionable if he has experience in matters of practical detail ; let me be understood ; in our American Railroad parlance and practice Mr. Brydges might make a very good president, but at the same time be a very inefficient Superintendent, which is understood to be the Office of Managing Director. In illustration of this idea, I would say that Messrs. Grisnell and Whinton, of New York, are perhaps the most admirable administrators of a vast line of packet service in the world, yet I am very sure that neither one nor the other of these gentlemen would ever think of taking the command of one of their own Packet ships. The fact is that it requires just as long and laborious an apprenticeship to enable a man to superintend a Railroad as to command a Man of War or indeed to act as Admiral, for he has fleets and squadrons to direct, hourly, in the narrowest seas, amid unforeseen dangers such as fleet never dreams of. Most, if not all, our most efficient American Superintendents are Engineers by profession. They know every thing about the construction of a road from the running of the first trial line to completion ; they have by degrees learnt, by intelligence and experience combined, to manage trains and men advantageously and safely. They have grown up in the business. In the United States and in Canada too the men perhaps are the most difficult to manage when not understood rightly, but they are first rate men when managed understandingly ; and what is more, you cant do without them ; try what you will, you must come back to them. They alone understand the peculiarities of the climate and the country and the handling of machines adapted to the necessities of the case. English practice and English ways will not suit machines or such men. I am told that the English and Scotch operatives have burnt up or otherwise damaged half the locomotives on the Great Western Railroad since it opened. These men might do well enough after a time, but in the meantime the Company is paying dearly for their experience. I presume the Company might have got good American or Canadian subordinates on their line, who would have taught others, by paying them well, (which I believe they do), but still more by treating them well. What I mean by treating them well, is, by treating them firmly, but at the same time considerately and courteously, as intelligent and reasonable beings : for our people, if worth having at all, are men of education and intelligence, and expect to be so treated. I understand that the Great Western Railroad is operated by Telegraph ; this may do in England, but it is not usual in our country, and is therefore liable to lead to mistakes of the most fatal nature. The trains should be worked by time-table and by watch. Each conductor should have a watch and all should be regulated by one Central Clerk, say, at London ; each conductor should have the entire command of and be responsible for his own train under and in accordance with the time-table settled and issued by the Superintendent. The Telegraph may do well enough as an assistant, but not as a guide ; I believe this will be found to be the general opinion of our people here. From the immense business already done on the Great Western Railroad, it is clear that it might be made a most profitable concern, if rightly handled ; as upon other

American Roads in the Eastern States, in New York State and Pennsylvania, arrangements should and could be made easily for the transfer of passenger baggage from one line to another connecting line, across river, &c., without disturbance or confusion, or the annoyance caused to individuals by the necessity of constantly looking after baggage ; this might be done by adopting, in addition to the system of cheques, the use of baggage crates, or other like arrangements, by means of which a traveller at the suspension Bridge, Niagara Falls, could cheque his baggage through to Chicago, and need never care or trouble himself about it until he gets there.

ORVILLE R. DIBBLE.

We, the undersigned, have heard read, acquiesce in, and hereby cheerfully subscribe to the above opinions as expressed by Col. Dibble.

O. M. RYDE, Mayor of Detroit.

WM. A. COOK, Recorder of Detroit.

R. C. WHITTEMORE, State Treasurer of Michigan.

J. H. HARMON, Collector Customs, Detroit.

Without having the professional knowledge to enable me to pronounce upon the technical points within alluded to, and without wishing to express an opinion upon individuals, I cheerfully concur as to the absolute necessity of a reform if the Great Western would be, which it certainly may be, a successful enterprise.

C. C. TROWBRIDGE, Presdt. Mich. State Bank.

Letter from T. F. Bordhead, Post Master, Detroit, November 14, 1854.

POST OFFICE, DETROIT, Nov. 14, 1854.

H. F. Coffin, Esquire, Commissioner, &c.

Sir,

In answer to your enquiries relative to the delays and detentions of trains upon the Great Western Railway, I have to state that in my opinion, some cause exists for the general complaints of defective management.

In the reception of the United States Mail, now transported over that road, this office is subjected to frequent and most vexations delays. During the month of October, for instance, the Mails were received but eight times at the proper hour, the detentions varying from two to seven hours. For these delays it is but justice to say the Great Western Rail Road is not always responsible, the Eastern trains are often behind time and thus compel the delay which ensues.

Most of the delays on the part of that road can, it seems to me, be avoided. At all events, there is much room for reformation. This route is certainly the most direct for mail transportation to and from eastern offices, even with the frequent detentions to which Mail matter is subject, we find it a very great improvement over the routes by which Mails were formerly received. I am frank to say, however, that it has by no means met the promises of its managers, or the expectations of the public.

Cause for complaint exists and many abuses that need correction ; but allowances should be made for those who control the road,

The road was in an unfinished state when opened. It was opened at a date too early by months for successful operation, and only because our own citizens clamorously demanded it. The track is new, the road insufficiently stocked and the urgency of the case compelled the employment of men, in many instances, (too many perhaps,) unused to rail road business.

The road has done badly,—it might have done worse,—and it is hardly fair to saddle its management with all that has occurred to merit censure.

No superintendent, however competent and experienced, could have given universal satisfaction, nor could it be expected that a new road hurriedly equipped, and forced into premature operation would, under the most careful and efficient management, meet the entire approval of our citizens or the travelling public.

I have the honor to be,

Very respectfully,

Your Obedient Servant,

T. F. BORDHEAD, P. M.

Copy of a Letter written by Mathews, a Conductor on the Great Western R. R. Canada W. to C. J. Brydges, Esquire, Managing Director.

C. J. BRYDGES, ESQUIRE,

Detroit, November 14th 1854.

In compliance with your request I herewith send you a special report of the cause of delay of the train of which I was conductor, which train left Suspension Bridge on the night of November 18th at 11 o'clock 35 minutes. I shall be particular in calling your attention minutely to all delays as they occurred upon the line, as it will doubtless put you in possession of facts which may lead to results vastly beneficial to the reputation of the road. It is useless to say to you that no one can be more vexed and annoyed at delays which are of a useless nature than the conductor of a train of car conveying passengers, as you are well aware that whatever may be the nature of delays the conductors alone are holden responsible by the passengers with whom they are in hourly intercourse during a trip from one end of the road to the other.

On arriving at St. George station, sixteen miles west of Hamilton, it was discovered that there was not a sufficient quantity of wood to run the train to Paris, a distance of ten miles. There being no wood at St. George station, I ordered the engineer to uncouple the engine and proceed to Paris for wood sufficient to run the train thither, but the engineer found some scattering wood, at a gravel pit about half way to Paris; the engineer stopped to pick up wood. There he found a watchman who refused to help to put on the wood, and it was done by an engineer fireman and a brakesman whom I sent up on the engine for that purpose. This delayed us 30 minutes. I arrived with the train at Paris at 3-30, whereas I ought to have been there at 2-40. While upon this subject I would state that we never take wood between Hamilton and Paris, therefore there must have been something wrong in not giving us the necessary quantity at that point. I was delayed 15 minutes at Paris; I arrived at Woodstock at 4-40; whereas I should have been there at 3-25, and was delayed 13 minutes. No one but himself and brakesman to supply wood, and there was but little

water in the tank. Arrived at Ingersoll at 5-10, and found switches open upon side track, but no switch tender there and not a stik of wood upon the platform where it should be, and it had to be handled over three times before getting it upon the tender, and was delayed 15 minutes. Left there consequently at 5 o'clock 25 minutes and arrived at London at 5-50 ; whereas I should have been there at 4-25 and arrived at Windsor at 10-11 making one hour and sixteen minutes behind the time-table.

There are other things which perhaps it does not become me to meddle with as a conductor, but as you personally request a full report of every thing occurring on the line in connection with the running of the road, I must say this, that you have not a sufficient number of men to supply the train with wood and water at the different stations. It has not been the custom either upon other roads to compel the brakemen to do so. Their duties, if they do their duty, is sufficiently arduous without requiring their extra duty. There is another thing which of course you are not aware of. At some stations, water is taken at one place and wood at another, instead of both being taken together as it is the case upon all roads other than the Great Western Road. Your superintendent Mr. Muir, I believe, enjoy the confidence of all connected with the road, both from his anxiety to have every thing done right and his ability to carry out his vews. He has always manifested to the conductors to my knowledge, a great anxiety to have the road conducted in such manner as to give confidence and satisfaction to the travelling public. If he could possibly be more over the road, it would be still better. In conclusion I must be permitted to say more ; in this you must understand me in advocating your own interests, not that of the conductors. The conductors who are daily passing over the line, being the best judges, should have general charge of the road, after a train shall leave its starting point, except at such points as Hamilton and London, and be allowed to telegraph in case of accident or unavoidable delay with the conductor of approaching trains. In this manner more regularity will certainly ensue. Thus, Sir, I have been minute as you requested me to do so. If any suggestions of mine, being an old Rail Road man, shall be of any service, they are certainly freely given.

So long as I remain upon the Road you must be aware that it would be unpleasant to have difficulty with those with whom I have daily intercourse, and for that reason should like to have any reflections upon others which it has been necessary to bring into this communication not made generally public. You may not be aware of it, but such thing deter conductors of the times from making expositions which ought to be made and which they know ought to be made of the most palpable neglect and dereliction of duty.

Respectfully yours,

(Signed,)

MATHEWS.

Handed to me by Col. Dibble,
as received from the writer
with authority to copy.
15th November 1845.

W. F. C.

Letter from John T. Clark to C. J. Brydges, Esquire, 17th October, 1854.

ENGINEER OFFICE G. W. R. W.
HAMILTON, 17th October, 1854.

DEAR SIR,—Understanding from you that it is your intention to run a train of passenger cars over the Eastern Division of the Great Western Railway between Hamilton and the Suspension Bridge on the first of November next, or soon thereafter, I have thought proper to address to you this communication, in order that no misunderstanding may exist in relation to my views, in regard to the safety and propriety of such a proceeding.

I have heretofore, and previous to the failure of the Culvert at twelve mile creek, declared to you my conviction, that the attempt to run a train of passenger cars over the Eastern Division by the first of November next, and immediately thereafter to open that Division of the line for public use, would be a premature movement, and if carried out, would be attended with hazard to life and property.

And now for the purpose of relieving myself from all responsibility in a transaction I deem so imprudent and unwise, I desire to inform you in my official capacity, that I do not consider the grading or the superstructure, so far as it is laid down, in a safe condition to be used for public purposes. Nor do I believe, that with all the energy within the power of the Company or Contractors to exert, within the period intervening between this and the first of November next, the track can be extended and the line put in a suitable condition for public traffic, contingencies now exist which may possibly extend the time for opening the road to the first of January.

Very respectfully and truly yours,

(Signed)

JOHN T. CLARK,
Chief Engineer.

C. J. BRYDGES,
Managing Director.

Letter from C. J. Brydges to John T. Clark, 18th October, 1853.

(Copy.)

OFFICE OF THE GREAT WESTERN RAILWAY CO.,
HAMILTON, CANADA, 18th October, 1853.

DEAR SIR,—I beg to acknowledge the receipt of your letter of the 17th instant, in which you acquaint me that you relieve yourself from all responsibility if the line of this railway is opened from Hamilton to Niagara Falls on the first of November, and that, in your opinion, circumstances may extend the time for opening until the 1st Jan. next

As you have, before the whole of the works on that portion of the line referred to have been completed and submitted for your official inspection, decided that they will not be fit to be used at a day not yet arrived, I feel myself called upon to reply somewhat fully to your letter.

It appears to me that a very grave responsibility rests upon any Board of Directors in neglecting to use a line of railway which is ready for use from one given period to another. The public have a right to demand, that the earliest possible opportunity be afforded them of availing of a means of communication

so essential as the Great Western Railway to the prosperity of the country at large; and the Shareholders have a right to expect, that no unnecessary delay be incurred in bringing into profitable operation a work which their funds have carried to maturity. *I am quite ready to admit that every possible care and precaution should be used to avoid the chance of injury to life and property; but, on the other hand, I hold equally strongly, that no excess of caution, or fear of incurring responsibility, should cause a Board of Directors to hesitate, to the best of their judgment and ability, to execute the trust confided to them.*

As you have, without waiting to afford the Board and myself the benefit of your opinion and advice as to the use of this line from Hamilton to Niagara Falls so soon as the contractors intimate that they have completed their works so far as to admit of the line being used by the public, expressed a very strong opinion in anticipation, I must, when it becomes necessary to arrive at a decision, exercise my own judgment as to the course which I shall recommend the Board of Directors to pursue; and, while I shall deeply regret that by the course you have adopted you have forestalled your opinion on a point upon which the circumstances do not permit of any decision being yet come to, I shall not hesitate to incur that responsibility, grave as it may be, which will now devolve upon me in the execution of the duties of the office which I have the honor to hold.

I need not remind you that the practice in America generally is to operate lines of railway, the state of which will not compare with that of the Great Western Railway even now; and I myself have seen lines in the United States, used daily for the conveyance of passengers, which are not to be compared to the line from here to the Falls; and it does therefore seem strange why the eastern division of this railway, which it is only proposed at first to run during day-light and at moderate speed, should not be equally able to accommodate the public wants, particularly as every day's operations in ballasting and otherwise will tend to consolidate and improve the line of road.

You do not mention what the circumstances are "which may possibly extend the time for opening the track to the 1st January."

I extremely regret that you should have so hastily pronounced an opinion upon a question which is not yet ripe for decision, and the more so, that the course you have taken will appear to place your views and my own at variance.

I am, dear sir,

Yours faithfully,
(Signed,)

C. J. BRYDGES,
Managing Director.

JOHN T. CLARK, Esquire,
Chief Engineer.

Letter from John T. Clark to C. J. Brydges, 18th October, 1854.

ENGINEER OFFICE GREAT WESTERN RAILWAY,
HAMILTON, 18th October, 1854.

DEAR SIR,—I have this moment received your letter of this date in answer to a communication which I thought it my duty to address to you upon the propriety of opening the Eastern Division of the line by the first of November next.

It is not my purpose, nor do I desire to enter into any discussion about the demands of the public or the duties of Directors;

I simply gave you my honest convictions as to the propriety of opening the line for public traffic by the time above mentioned ; and in doing this, I was actuated by no motives in the least injurious to the best interests of the Company and the public at large, nor by any unkind feelings towards any person.

I am aware of the great importance of opening the line at the earliest possible period, and I have labored assiduously to accomplish an object so desirable. But in doing this I have endeavored to exercise that degree of prudence which circumstances seem to require.

The contingencies alluded to " which may possibly extend the time for opening the road to the first of January," are the works at twelve mile creek. Should the Culvert cave in and close up the water course, the consequences would be most disastrous.

I am, dear Sir, respectfully and truly yours,

(Signed,)

JOHN T. CLARK,

Chief Engineer.

C. J. BRYDGES, Esquire,
Managing Director.

Letter from John T. Clark to President and Directors of the Great Western Railway, 21st November, 1854.

ENGINEER OFFICE GREAT WESTERN RAILWAY,
HAMILTON, 21st November, 1853.

To the President and Directors of the Great Western Railway Company ;

GENTLEMEN,—As the Managing Director assumes the control of the construction of the works upon the line of your road, especially upon the eastern and central division thereof, and without consultation with the undersigned, gives positive orders in regard to the transportation of materials which, in carrying out, will rather retard than facilitate the opening of the line between Hamilton and London, and also greatly increase the expense of construction, and as such a course of proceeding is calculated to embarrass the operations of the Engineer Department, and render futile any instructions given by the Chief Engineer. Self respect as well as a proper regard for the interest of the Company makes it incumbent upon me to remonstrate against such proceedings on the part of the Managing Director, and in case of further palpable interference with the duties of the Engineer Department, to resign my position as Chief Engineer of your Company.

I have the honor to be very respectfully your obedient servant,

(Signed,)

JOHN T. CLARK,

Chief Engineer.

Extract from the proceedings of the Board of Directors of the Great Western Railway Company, 7th December, 1853.

C H I E F E N G I N E E R .

Whereas John T. Clark, the present Chief Engineer of this Company, has made known his intention of leaving their service on or about the 15th instant, in consequence of being called by the suffrages of the people of the State of New York to act as their State Engineer and Surveyor ; therefore

Resolved,—That all responsibility in regard to the construction of the works upon the line under his superintendence (other than such as may have reference to the settlement of accounts for works now under contract) ceases after said date, and the Board hereby assumes all responsibility in relation to all unfinished work upon the entire line, and the preparatory arrangements for opening the line for public use.

Resolved,—That John T. Clark be continued Chief Engineer of this Company for the sole purpose of arranging and certifying to accounts and aiding in the liquidation of claims growing out of existing contracts having reference to this decision.

Resolved,—That this Board, in accepting the resignation of Mr. Clark, cannot omit the pleasing duty of expressing to him the high sense which they entertain of the faithful, energetic, and able services which he has rendered to this Company; and, although they are happy that he (Mr. Clark) has received the honor of filling the highly distinguished post of State Engineer and Surveyor General for the State of New York, they regret that circumstances have compelled him to relinquish so soon the active duties of an office which he has filled with so much credit to himself and such great advantage to the Company.

A true copy.

(Signed,) J. MCKENDRICK,
Secretary.

Letter from C. J. Brydges, 15th December, 1854, enclosing Document Letter S.

GREAT WESTERN RAILWAY,
HAMILTON, Canada West,
15th December, 1854.

MY DEAR SIR,—I called at the City Hotel for the purpose of giving you the enclosed copy of Mr. Clark's letter to me relative to the opening of the Eastern division from Hamilton to the Suspension Bridge. I wished to explain the circumstances out of which that letter arose, and which go a long way to take from it the effect which at reading would appear reasonable. The opening of the Great Western Railway was promised in a report from the Board so early as the end of 1852, and when that was found impossible, Mr. Benedict, in his report of 1852, promised the opening throughout in August, 1853. When Mr. Clark took control of the work, at the close of 1852, he found fault with everything done by his predecessor, and, in June, 1853, stated, in his report, that the line would be opened throughout by the close of that year. He had considerable difficulties with the contractors on the Eastern division, and took a strong personal bias against that part of the line, and was besides very anxious that, as he had declared his objection to the date fixed by Mr. Benedict, nothing should occur to falsify his prediction in his report of June, 1853. The contractors, by great exertions, completed the track by the time named in their contract, and then this difficulty arose. Mr. Clark, who was a consenting party to the opening of the line from Hamilton to London and Windsor, wanted to get it ready, as stated in his report, for opening by the 1st January, 1854. The Directors shrunk from opening so great a length of line at once, and were desirous, if possible, of opening it in sections, for the purpose of enabling us to do something towards drilling the staff, &c. Upon receiving Mr. Clark's letter, they accordingly determined to

inspect the line themselves in company with an engineer not connected with the Company. This was accordingly done, and I enclose you copy of the letter which Mr. Cumberland addressed to the Board. I may remark that you will find that Mr. Clark only desired the opening of the Eastern division to be delayed until the rest of the line was completed ; that none of the consequences he apprehended did in fact occur upon that piece of road ; and that the opening of the line in sections, instead of all at once, was a measure, in my judgment, of absolute necessity.

In reply to your enquiry as to my own views at that time, (Nov., 1853,) I may remark that I should have *much* preferred delaying the opening of any part of the line until the spring ; but, when I found that it was determined to have it opened throughout by January of this year—that the public were most clamorous for it, the staging in the west having been abandoned in the fall—and that it would be useless to delay the opening after the track was actually completed, I conceived it to be better, both for the public and the Co., that the line should be opened in sections, and not the whole 228 miles in one day. And therefore I advocated the opening of the Eastern division in Nov., 1853 ; and I feel satisfied that in doing so I was under the circumstances right.

I have carefully looked over the list of accidents, and cannot find that any cases have been omitted.

I am much obliged for the hint given me in your letter of the 11th inst. about the station-master at Beamsville.

Will you glance at the enclosed memorandum of the accidents which have occurred upon the Michigan Central line during the present year. It is not a perfect list, and I send it merely to shew that accidents occur upon old established lines, which bear, and I think justly, a high reputation.

I am, my dear Sir,
Yours faithfully,

C. J. BYRDGES.

WILLIAM F. COFFIN, Esq.

Deposition of William Bowman, Superintendent Mechanical Department Great Western Railway, Canada West, Montreal, 5th January, 1854.

WILLIAM BOWMAN, of Hamilton, in the County of Wentworth, in that part of Canada known as Upper Canada, Mechanical Engineer, deposeth and saith : that he is Mechanical Superintendent on the Great Western Railway in Canada West ; that he has filled that situation since the month of April, 1853. Deponent had served his time as a Mechanical Engineer, in Lancashire, at Thomas Varnon & Co's. establishment, Liverpool, and had been subsequently, before coming to Canada, employed for ten years on the London and South Western Railway. Deponent was in the employ of the Great Western Railway Company at the opening of the said Railway, in November 1853. In the opinion of the Deponent, derived from his previous experience in England, the road was not in a fit or proper condition to have been opened ; consider it to have been very dangerous to have used the road at all in the then condition of the works on the line and track. The road was very imperfectly fenced ; with long intervals between the fencing, it was not ballasted ; the ties were laid upon the surface at subgrade in many instances without being in any way secured by gravel ; the

cuttings were for the most part only channels cut through the bank, without being sloped off, and at all times liable to slide down upon the track or to encumber the track with stones or stumps to the destruction of the next approaching train. The embankments were dangerously narrow at the top, scarcely wide enough to support the ties, and constantly liable to be washed away, depressing thereby the rail on one or the other side, and exposing the passing trains to be thrown off the track and down the embankment. During the winter and in the spring the cuttings were in the most dangerous state, there was no proper drainage, and the mud accumulated on the track in such a way as to make it most hazardous to run the trains. Deponent does not hesitate to say that in some of the cuttings the mud was three feet deep. Instances have occurred in which an engine driver to get through has been compelled to leave part of his train in the mud. At the time of opening of the road the number of locomotives in use was about 18—first class cars, 18—baggage cars, 4—and 75 freight cars; a quantity quite insufficient for the business to be done, looking to the casualties of the winter season. The consequence was that from the very first, the engines and cars were injured and wrenched and twisted and disabled by the roughness of the track and the incompleteness of the road. Springs and other parts of the machinery which were not broken outright, were nevertheless so far injured and made liable to break by the violence to which they were exposed, as to break finally at the most unexpected moment and in the most dangerous way. The locomotives were constantly out of repair from the concussions to which they were exposed, and deponent had the greatest difficulty in keeping them in any thing like an efficient state, or fit to do the work required of them. Moreover, he was deficient in proper tools and materials; he had no workshop—there were workshops in course of erection, but none finished. He had no lathe, and experienced the greatest difficulty in making repairs. Deponent believes, as far as his memory serve him, that eight or ten trains were thrown off the track, from the opening of the road to the present time, by cattle getting on the track from the absence of fencing. Remembers an accident which occurred on the road shortly after it was opened at a spot about a mile from Hamilton on the East. Mr. Brydges, the Managing Director was on the engine at the time. The occurrence took place as deponent believes on the 23rd December, 1853. Three cows had got on the track, the fencing being deficient near the spot, the engine struck and killed the three. It was not in the power of the driver to have stopped the train and have averted the accident. The cows came upon the track altogether suddenly and unexpectedly. The engine, tender and baggage cars were thrown off the track. The fireman was jammed between the tender and engine and died in consequence the following day. The cows being crushed down on the track, which at this place was quite devoid of ballast, forced all the ties forward for a considerable distance one against the other, the rail fortunately at this spot was the continuous rail and did not yield, though it twisted in an extraordinary manner, but it did not break, and this circumstance saved the train from a much heavier disaster.

And the deponent having heard this testimony read, declare the same to contain the truth, and has signed.

W. BOWMAN.

Taken and sworn before me at Montreal,
this 5th day of Jany. 1855.

WILLIAM F. COFFIN.

DOCUMENTS PRODUCED AND FYLED BY C. J. BRYDGES, ESQUIRE.

Letter from F. Cumberland to C. J. Brydges, Esquire.

(Copy.)

OFFICE OF THE GREAT WESTERN RAILWAY COMPANY,
HAMILTON, C. W., 2nd November, 1853.

SIR,—In pursuance with your instructions, I have travelled over the Eastern Division of the Great Western Railway with the view of reporting my opinion as to the propriety of opening the same for public traffic.

There are considerations of policy which induce (and I think properly) Companies to an earlier opening of their lines than a ripe engineering opinion might justify. In your case I consider that as the road may be run over with safety, moderate speeds and due precaution being observed, you consult the best interests of the Company and the public on opening the road for regular traffic.

I am, Sir, your most obedient servant,

(Signed,)

FRED. CUMBERLAND.

C. J. BRYDGES, Esquire.

A. B. C. Produced by Mr. Brydges, 23rd November, 1854.

(Copy.)

(A.)

18th March, 1854.

Notice to Gravel Train Conductors.

On Monday first, and during the next few days, the *Through* Freight Trains between Niagara Falls and Windsor will be discontinued, and the Conductors in working their gravel trains will please observe the following Regulations :

That they may with greater regularity and safety use the Train Track, it will be necessary that they have their watches set to Hamilton station time, which time they can obtain at the stations or from any of the conductors passing Hamilton.

They shall provide themselves with two sets of signal flags, two hand signal lamps and a proper supply of oil, waste and wick.

Before leaving the siding to come upon the Main Track, they must satisfy themselves of the exact length of time they can use the Main Track, without being in the way of a train, coming from either direction, and act accordingly, always bearing in mind, that they must not upon any account be upon the Main Track within fifteen minutes of a train being due, and the time shewn in the accompanying table shall be their guide.

When upon the Main Track, and immediately upon their train being brought to a stand, they shall dispatch a signaller in each direction of not less than 600 yards from the train, with the proper signals, and before doing so shall see that they thoroughly understand their use. Three sharp whistles from the engine shall be the signal for recalling them.

They shall be at liberty to bring their train upon the Main Track on the time of a freight train being due, after such freight train shall have been half an hour late, but before doing so they shall dispatch their signalmen to a proper distance so as to have their train sufficiently protected, *and in no case, (except at the Stanton cutting) shall they leave their siding on the time of a passenger train HOWEVER LATE IT MAY BE*; at the Stanton cutting they shall only use the Main Track when a passenger train coming east shall have been half an hour late, and before coming on to the Main Track shall use the precautions before mentioned.

When making for the siding to be clear of a train due from one direction, their attention is specially required to see that they run no risk of meeting a train advancing from another course.

(Signed,) C. J. BRYDGES;
Managing Director.

The above is a true copy of instructions issued to Conductors of Gravel Trains.
October 27, 1854.

BRACKSTONE BAKER,
Secretary.

(Copy.)

(B.)

27th March, 1854.

Notice to Gravel Train Conductors.

On and after Wednesday first, and until further notice, the Through Freight Trains will run as per time-table.

The Regulations issued on 18th instant will be observed respecting the use of the Main Track by Gravel Trains.

The first Through Train will leave Niagara Falls, coming west, to-morrow night at 10 $\frac{1}{2}$, P. M. Leave London for West on Wednesday at 9 A. M., and for East on Wednesday night at 9 P. M.

(Signed,) W. K. MUIR,
Assistant Superintendent.

The above is a true copy of instructions issued to Conductors of Gravel Trains.

(Signed,) BRACKSTONE BAKER,
Secretary.

Copied from Mr. Muir's Books.

(Copy.)

HAMILTON, 9th August, 1854.

To insure a proper understanding between the Conductors of Gravel and Wood Trains, the following Regulations will be observed: Wood and Gravel Trains will be considered upon an equal footing as regard the use of the Track, but a light train of either description shall in all cases give way to a heavy one, unless the heavy one is near a siding; when both are heavily loaded and at equal dis-

tances from a siding, the Gravel train shall have the preference unless it can dump close at hand. As regards shunting at a siding, the light train shall always shunt if at all convenient, and let the loaded train keep the main track. Conductors of these trains (wood or gravel) shall leave notice of their intended movements with the Station Master or pointsman at those places near which they are to work, and shall always be prompt in protecting their trains by signals (at safe distance) when upon the main track. Great care must be used when working or about to work in the neighborhood of any curve, and before approaching it the train must be brought to a stand and a flagman left to protect the train. The greatest possible caution must be used when working irregularly between Stations so as to prevent accidents of any kind.

The above is a true copy of instructions issued to Conductors of Gravel Trains,
October 27, 1854.

BRACKSTONE BAKER,
Secretary.

(C.)

(Copy.)

ENGINEER DEPARTMENT,
WINDSOR, October 14, 1854.

Mr. TWITCHELL, Conductor of Ballast Train.

SIR,—I have to request that you do not run on Express time, but be off the Track 20 minutes before it is due, and remain so till it has passed. Any transgression of this rule will be reported to me, and will call for a demand upon my part for your removal.

The whole weight and responsibility of any accident that may happen from any transgression of this, will fall on your shoulders.

Yours, &c. &c.

(Signed,)

R. C. GREGORY.

LIST OF ENGINE DRIVERS, 24th November, 1854.

| | Names of Engineers. | Time of Entering their Service. | Former Situation and Occupation. | No. of Years. | Time of leaving. | Remarks. |
|------|------------------------|------------------------------------|--|------------------|---------------------|--------------------------------|
| E 1 | Thos. Hinton,... | 14th September, 1853. | London and South Western England,..... | 4 yrs. | | |
| E 2 | F. Graham,..... | 20th September, 1853 | London and North Western England,..... | 7 yrs. | | |
| E 3 | Jas. Graham,.... | 20th September, 1853 | Newcastle and Carlisle Co., England,.... | 9 yrs. | | |
| E 4 | A. Nicholson,.... | 21st September, 1853 | C. C. R. R. State of Ohio America,.... | 7 yrs. | | |
| E 5 | W. Newcomb,.... | 10th May, 1854..... | London and North Western England,.... | 1 yr. & 1 mth. | 7th August, 1854. | Own Accord. |
| A 6 | Ira. Petrie,..... | 27th June, 1853..... | Michigan Central State of Michigan,.... | 7 mths..... | 24th October, 1854. | Discharge for breach of Rules. |
| E 7 | A. Pringle,..... | 9th September, 1853. | McLean and Wright Toronto,..... | 5 yrs. | | |
| E 8 | G. Williams,.... | 25th October, 1853.. | Great Northern England,..... | 18 yrs. | | |
| E 9 | M. Rosevear,.... | 24th April, 1854..... | Bodmin & Wadebridge, Cornwall, England, | 6 yrs. & 2 mths. | | |
| E 10 | Jn. Hall, Senr.,.. | 20th September, 1853. | London and North Western England,.... | 3 yrs. | | |
| E 11 | Geo. Lomas,.... | 13th February, 1854. | Messrs. Rogers and Pattison New Jersey, | 3 mths. | | |
| S 12 | John Reid, | 9th September, 1853 | Messrs. Ward and Co., Detroit,..... | ..... |  |  |
| A 13 | M. Valley, ..... | ..... | ..... | ..... |  |  |
| A 14 | E. C. Daniels,... | ..... | North Western England,..... | 8½ yrs. | | |
| E 15 | Jn. Fletcher,.... | 14th November, 1853. | ..... | 4 yrs. | | |
| E 16 | G. Sumter,..... | 17th April, 1854..... | Midland England,..... | 9 yrs. & 6 mths. | | |
| E 17 | R. Hinchey,.... | 17th October, 1853. | South Western England,..... | 1 yr. | | |
| E 18 | Thos. Finley,.... | 15th April, 1854.... | London and N. W. England,..... | ..... |  | Firing previous. |
| A 19 | James Ohara, .. | 20th June 1854..... | ..... | 3½ yrs. | 15th June, 1854.... | Own Accord. |
| E 20 | Jn Hall, Junr.,.. | 15th November, 1853. | Spanish Line,..... | ..... | 14th June, 1854.... | Own Accord. |
| E 21 | D. Walker,..... | ..... | ..... | ..... |  |  |
| A 22 | Pat. Monigan,... | 1st May, 1854..... | New York Central,..... | 10 yrs..... | | |
| E 23 | F. Young,..... | 14th September, 1853. | London and S. W. England,..... | 8½ yrs. | | |
| E 24 | G. Burdett,..... | 4th August, 1854.... | London and N. W. England,..... | 9 yrs. | | |
| E 25 | F. Smith,..... | 26th April, 1854.... | Caledonia Scotland,..... | 6 yrs. | | |
| E 26 | James Paver,.... | 17th December, 1853. | Great Northern England,..... | 5 yrs. | | |
| A 27 | Jared Thompson, | 11th January, 1854.. | Chicago and Gelena Illinois,..... | 2½ yrs. | | |
| E 28 | Edwd. Brown,... | 21st September, 1854. | Great Northern England,..... | 6 yrs. | | |
| E 29 | E. Bown,..... | 14th August, 1854.... | London and N. W. England,..... | 11 yrs. | | |
| E 30 | C. Merrifot,.... | 5th May, 1854..... | London and N. W. England,..... | 3½ yrs. | | |
| E 31 | Wm Peel,..... | 14th June, 1854.... | London Brighton and South Coast,..... | 5½ yrs. | | |
| E 32 | Wm. Cox,..... | 14th June, 1854.... | London Brighton and South Coast,..... | 7½ yrs. | | |
| E 33 | H. Donnelly,.... | 25th August, 1854.... | Caledonian Scotland,..... | 8 yrs. | | |
| S 31 | Wm. Haven,.... | 27th October, 1854.. | London N. W. England,..... | 8½ yrs. | | |
| S 35 | D. Porteous,.... | 20th November, 1854. | Glasgow and C. S. W. Scotland,..... | 9 yrs. | | |
| A 36 | R. Waught,.... | 10th November, 1854. | New York and Eric..... | 4½ yrs. | | |

TIME-TABLE, OCTOBER 23, 1854.

GREAT WESTERN RAILWAY, time-table and special instructions, for the exclusive use and guidance of the conductors, enginemen, &c., on this Railway. To come into operation on Monday, 23rd October 1854.

Every officer and employee of the Company, must make himself conversant with this time-table, in order that he may be thoroughly acquainted with the running of the different trains.

Previous time-tables to be destroyed.

⚡NOTE—The thick black lines show where trains are to pass each other, and conductors will not pass these appointed shunting stations with their trains, unless upon properly authenticated telegraph messages, except that freight or mixed trains shall keep out of the way of passenger trains. Those lines with the small figures above, denote *Passing*, but *not Stopping* stations, provided the corresponding train has arrived at the station. All trains, in shunting, to give preference to the express trains. Gravel trains shall give preference to passenger and freight trains in shunting.

Steamers.

HAMILTON.—Steamers leave Hamilton daily (Sundays excepted), for Toronto, Kingston, Cape Vincent, Ogdensburgh, Montreal, Quebec, and places on Lake Ontario and River St. Lawrence.

Stages.

PARIS.—A stage runs regularly between Paris, Galt, and Ayr.

GALT.—Lowell's Stages leave the Depot on arrival of afternoon train for Preston, Berlin, Waterloo, St. Jacobs, Hamburg, Stratford, Goderich, Guelph, &c., returning in time for 8-30 A. M. train

WOODSTOCK.—A stage leaves Woodstock every Tuesday, Thursday, and Saturday, for Simcoe, Otterville, and places south, on arrival on morning mail train from west; also, to Stratford and other places north, every evening, (Sundays excepted), on arrival of afternoon mail train from east.

INGERSOLL.—A stage runs daily between Ingersoll and Vienna.

LONDON.—Stages leave Robinson Hall, daily, (Sundays excepted), for Goderich, Port Sarnia, Port Stanley, Stratford, and places intermediate.

WINDSOR TO SUSPENSION BRIDGE (NIAGARA FALLS), &c.

| Distances. | | (GOING EAST.) STATIONS. | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
|--------------------|------------------|----------------------------|--|--------------|--------------|---------------|--------------|--------------|--------------|
| Interme- diate. | From Windsor. | | Freight. | Accomo. | Light Ex. | Mail Ex. | Mixed. | Mixed. | Night Ex. |
| | | WINDSOR depart..... | | | A.M. 7.40 | A.M. 11.20 | P.M. 3.00 | | P.M. 7.10 |
| 19 | 19 | Rochester..... | Passenger Car attached at Hamilton. | | 8.20 | P.M. | | | |
| 13½ | 32½ | Baptiste Creek..... | | | | | 12.30 | | |
| 13 | 45½ | Chatham..... | | | | 9.15 | 1.00 | 5.20 | 8.50 |
| 15 | 60½ | Thamesville..... | | | | | | 6.20 | 9.20 |
| 13 | 73½ | Wardsville..... | | | | 10.05 | 1.50 | 7.00 | 9.45 |
| 6½ | 80 | Mosa..... | | | | | | 7.20 | |
| 9½ | 89½ | Ekfrid..... | | | | 10.40 | 2.25 | 7.50 | 10.25* |
| 5 | 94½ | Adelaide Rd..... | | | | | | 8.20 | |
| 5 | 99½ | Lobo..... | | | | 11.05 | 2.50 | 8.40 | 10.55* |
| | | Lobo..... | | | | 11.30 | 3.15 | 9.15 | 11.20 |
| 10¼ | 109¾ | LONDON { arrive..... | | | | | | | |
| | | { depart..... | A.M. 6.00 | A.M. 7.00 | 11.40 | 3.25 | | P.M. 4.20 | 11.30 |
| | | | | | P.M. | | | A.M. | |
| 9½ | 119¼ | Dorchester..... | | 7.20 | | | | 4.45 | |
| 9½ | 128¾ | Ingersoll..... | 7.00 | 7.45 | 12.10 | 4.00 | | 5.10 | 12.10 |
| 4¼ | 133 | Beachville..... | 7.20 | 8.00 | 12.20 | | | 5.25 | |
| 5 | 138 | Woodstock..... | 7.45 | 8.15 | 12.35 | 4.25 | | 5.45 | 12.35 |
| 11¾ | 149¾ | Princeton..... | 8.30 | 8.50 | | 4.50 | | 6.20 | |
| 7 | 156¾ | Paris..... | 9.20 | 9.15 | 1.20 | 5.05 | | 6.55 | 1.20 |
| 9¾ | 166½ | Fairchild's Creek..... | 9.45 | 9.40 | | 5.30 | | 7.25 | |
| | | GALT { depart..... | | 8.30 | | 4.00 | | | |
| | | { arrive..... | | 10.20 | | 6.30 | | | |
| 10½ | 177 | Flamboro'..... | 10.25 | 10.10 | | | | 8.05 | 2.00 |
| 3½ | 180½ | Dundas..... | 10.40 | 10.20 | 2.10 | | | 8.20 | |
| | | HAMILTON { arrive..... | 11.05 | 10.40 | 2.30 | 6.25 | | 8.40 | 2.30 |
| 5¼ | 185¾ | { depart..... | P.M. 4.20 | 10.50 | 2.40 | 6.35 | | | 2.40 |
| 6½ | 192¼ | Stoney Creek..... | 4.40 | 11.05 | | | | | |
| 10 | 202¼ | Grimsby..... | 5.15 | 11.25 | 3.10 | | | | |
| 4¾ | 207 | Beamsville..... | 5.35 | 11.50 | | | | | |
| 5 | 212 | Jordan..... | 5.55 | | 3.30 | | | | |
| | | | | P.M. | | | | | |
| 5¾ | 217¾ | St. Catherines..... | 6.20 | 12.25 | 3.40 | 7.45 | | | 3.50 |
| 2 | 219¾ | Thorold..... | 6.35 | 12.25 | | | | | |
| 9¼ | 229 | NIAGARA FALLS, (arrive.) | 7.20 | 1.00 | 4.10 | 8.20 | | | 4.25 |

* Flag Stations.

Instructions as to Passing.

- No. 1 FREIGHT to shunt at Princeton for No. 2 Accommodation going East, and pass shunted at Fairchild's Creek No. 1 mixed going West.
- No. 2 ACCOMMODATION to pass shunted at Princeton No. 1 Freight going East, and at Fairchild's Creek No. 1 mixed going West, and shunt at Grimsby for No. 3 Express going West, and if late keep out of the way of No. 5 Express and No. 6 Accommodation going West.
- No. 3 EXPRESS to shunt at Rochester for No. 7 Night Express going West, but if Night Express is not at Shunting Station at 8.40 a.m., train going East will proceed as explained in note upon opposite side; pass shunted at Wardsville No. 3 Freight going West; pass shunted at Beachville No. 1 Mixed going West; pass at Paris No. 4 Express going West, pass at Dun-

das No. 2 Freight going West, and pass at Grimsby No. 5 Express, and at Jordan No. 6 Accommodation Trains bound West.
 No. 4 EXPRESS to pass shunted Baptiste Creek No. 3 mixed bound West; pass at London No. 4 Express bound West; pass shunted at Princeton No. 2 Freight bound West; shunt at Paris for No. 4 Express bound West; pass shunted at Fairchild's Creek No. 6 Accommodation.
 No. 5 FREIGHT to shunt at Chatham for No. 4 and at Ekfrid for No. 5 Express trains bound West.
 No. 6 MIXED to pass shunted at Woodstock No. 2 Freight going West, and shunt at Princeton for No. 6 Accommodation going West.
 No. 7 NIGHT EXPRESS to keep good look out for No. 4 Express from East when it is late; pass shunted at Thamesville No. 5 Express going West; pass shunted at Flamboro' No. 7 Night Express going West.

SUSPENSION BRIDGE (NIAGARA FALLS) TO WINDSOR, &c.

| Distances. | | (GOING WEST.) STATIONS. | 1 | 2 | 3 | 4 | 5 | 6 | 7 | |
|--------------------|-------------------|----------------------------|----------------------------|---------------|---|----------------|----------------|---------------|----------------|-------|
| Inter- mediate. | From Windsor. | | Mixed. | Freight. | Mixed. | Light Ex. | Mail Ex. | Accommo. | Night Ex. | |
| | | N. FALLS, depart..... | | A. M. 7.00 | | A. M. 10.30 | P. M. 2.00 | P. M. 2.30 | P. M. 11.30 | |
| 9 $\frac{1}{4}$ | 9 $\frac{1}{4}$ | Thorold | Passenger car attached. | 7.40 | | | | 2.55 | A. M. 11.05 | |
| 2 | 11 $\frac{1}{4}$ | St. Catherines | | 7.55 | | 11.00 | 2.35 | 3.05 | | |
| 5 $\frac{3}{4}$ | 17 | Jordan..... | | 8.20 | | | | 3.20 | | |
| 5 | 22 | Beamsville..... | | 8.45 | | | | 3.40 | | |
| 4 $\frac{3}{4}$ | 26 $\frac{3}{4}$ | Grimsby..... | | 9.15 | | 11.30 | 3.05 | 3.50 | | |
| 10 | 36 $\frac{3}{4}$ | Stoney Creek..... | | 9.50 | | | | 4.10 | | |
| | | arrive..... | | 10.15 | | | P. M. 12.05 | 3.45 | 4.25 | 1.15 |
| 6 $\frac{1}{2}$ | 43 $\frac{1}{4}$ | HAMILTON { | | A. M. 8.00 | P. M. 1.30 | | 12.15 | 3.55 | 4.35 | 1.25 |
| | | depart..... | | 8.25 | 2.00 | attached. | | | 4.55 | |
| 5 $\frac{1}{4}$ | 48 $\frac{1}{2}$ | Dundas | | 8.45 | 2.30 | | | | 5.05 | 1.55 |
| 3 $\frac{1}{2}$ | 52 | Flamboro'..... | 9.30 | 3.10 | | | 4.45 | 5.35 | | |
| 10 $\frac{1}{2}$ | 62 $\frac{1}{2}$ | Fairchild's Creek..... | | | | | | | | |
| 12 | 74 $\frac{1}{2}$ | GALT { | 8.30 | | Car | | 4.00 | 4.00 | | |
| | | arrive..... | 10.30 | | | | 6.30 | 6.30 | | |
| 9 $\frac{3}{4}$ | 72 $\frac{1}{4}$ | Paris | 10.30 | 4.10 | Passenger | 1.25 | 5.10 | 6.05 | 2.40 | |
| 7 | 79 $\frac{1}{4}$ | Princeton..... | 10.55 | 4.45 | | | | 6.25 | | |
| 11 $\frac{3}{4}$ | 91 | Woodstock..... | 11.45 | 5.45 | | | 2.05 | 5.55 | 6.55 | 3.25 |
| | | | P. M. 12.10 | 6.10 | | | | | 7.10 | |
| 5 | 96 | Beachville | 12.40 | 6.35 | | | 2.25 | 6.20 | 7.25 | 3.50 |
| 4 $\frac{1}{4}$ | 100 $\frac{1}{4}$ | Higersoll..... | 1.10 | | | | | 7.45 | | |
| 9 $\frac{1}{2}$ | 109 $\frac{3}{4}$ | Dorchester | 1.40 | 7.20 | | 3.00 | 6.55 | 8.05 | 4.25 | |
| 9 $\frac{1}{2}$ | 119 $\frac{1}{4}$ | LONDON { | | | Passenger Car attached for Hamilton. | A. M. 8.00 | 3.15 | 7.05 | 4.35 | |
| | | depart | | | | | 8.35 | 3.40 | 7.30 | 5.00* |
| 10 $\frac{1}{4}$ | 129 $\frac{1}{2}$ | Lobo..... | | | | | 8.50 | | | |
| 5 | 134 $\frac{1}{2}$ | Adelaide Road..... | | | | | 9.10 | 4.05 | 8.00 | 5.25* |
| 5 | 139 $\frac{1}{2}$ | Ekfrid..... | | | | | 9.35 | | | |
| 9 $\frac{1}{2}$ | 149 | Mosa | | | | | 9.55 | 4.40 | 8.40 | 6.05 |
| 6 $\frac{1}{2}$ | 155 $\frac{1}{2}$ | Wardsville..... | | | | | 10.45 | | 9.15 | |
| 13 | 168 $\frac{1}{2}$ | Thamesville..... | | | | | 11.30 | 5.30 | 9.45 | 7.00 |
| 15 | 183 $\frac{1}{2}$ | Chatham..... | | | | | P. M. 12.15 | | | |
| 13 | 196 $\frac{1}{2}$ | Baptiste Creek..... | | | | | 1.15 | | | 8.15 |
| 13 $\frac{1}{2}$ | 210 | Rochester..... | | | | 2.00 | 7.00 | 11.20 | 8.55 | |
| 19 | 229 | WINDSOR arrive..... | | | | | | | | |

* Flag Stations

Instructions as to Passing.

- No. 1 MIXED to shunt at Fairchild's Creek for No. 2 Accommodation, and No. 1 Freight going East; and at Beachville for No. 3 Express going East.
- No. 2 FREIGHT to shunt at Hamilton for No. 2 Accommodation going East, and No. 4 Express going West; shunt at Dundas for No. 3 Express going East; shunt at Princeton for No. 4 Express going East, and shunt at Woodstock for No. 6 Mixed going East.
- No. 3 FREIGHT to shunt at Wardsville for No. 3 Express going East; shunt at Baptiste Creek for No. 4 Express going East, and if late must keep out of the way of No. 4 Freight going East.
- No. 4 EXPRESS to pass, shunted at Grimsby, No. 2 Accommodation going East; pass, shunted at Paris No. 3 Express going East; pass at London No. 4 Express bound East; pass, shunted at Chatham, No. 5 Freight going East. If Express going West is late and cannot reach Windsor on time, it will keep out of the way of Train going East, as it will leave on time.
- No. 5 EXPRESS will shunt at Grimsby for No. 3 Express bound East; pass, shunted, the following Trains bound East; at Paris No. 4 Express; at Woodstock No. 6 Mixed; at Ekfrid No. 5 Mixed; shunt at Thamesville for No. 7 Express bound East.
- No. 6 ACCOMMODATION to shunt at Jordan for No. 3 Express going East; shunt at Fairchild's Creek for No. 4 Express going East; and pass, shunted at Princeton No. 6 Mixed going East.
- No. 7 NIGHT EXPRESS to shunt at Flamboro' for No. 7 Night Express going East; and to pass, shunted at Rochester No. 3 Express going East. If the Express going West is late, and cannot reach Rochester before 8.40 a.m., it will keep out of the way, and the Train going East shall, after that time proceed, reckoning the time 30 minutes later than card time, and use extra caution until the two trains have passed.

Special Instructions.

No person is allowed to travel without having a ticket or pass from an authorized officer of the Company; Conductors neglecting to enforce this order, will subject themselves to a *heavy fine*, or *dismissal*.

The following are the only officers of the Company, who are authorized to grant or sign passes, which must be upon the *printed form*:—

| | |
|---|--|
| C. J. BRYDGES, <i>Managing Director.</i> | D. CHAPMAN, <i>Local Superintendent.</i> |
| D. C. GUNN, <i>Freight Manager.</i> | G. L. REID, <i>Engineer.</i> |
| W. BOWAN, <i>Mechanical Superintendent.</i> | J. MOVIUS, <i>Agent, Buffalo.</i> |
| W. K. MUIR, <i>Traffic Superintendent.</i> | |

All passes must be strictly examined and collected, with tickets: they must also be carefully punched on examination.

A Report shall be sent to Mr. Muir, of all passes presented, and of any which appear to have had the date altered, been irregularly filled up, or improperly used.

Conductors of Passenger Trains shall see that the Cars of their Trains (especially the insides and windows) are thoroughly cleaned, at least half an hour previous to appointed time of starting, and that they are well lighted during night journeys.

The sale of articles in the Cars, is strictly prohibited, and Conductors and Station Masters shall see that this rule is enforced. A supply of fresh drinking-water must always be kept in the Cars, and waiting-rooms at Stations.

Conductors of Passenger and Freight Trains shall be held responsible for having a proper bell-rope from rear of Train, attached to bell in cab of engine, previous to appointed time of starting: this must be rigidly attended to; they shall not, upon any account, work their trains at Stations or Sidings, by the

side or safety-chains, in the absence of links and pins; neither shall they tail-roped a car by them, and they shall be most particular in seeing that they are always coupled.

Freight Train conductors shall not take on Cars unless they are labelled, and shall see, previous to starting, that only one label is on each car, and shall be punctual in leaving off such at the proper Stations; any case of overcarrying of freight, or checked or labelled Passenger-baggage, shall be strictly dealt with. Bad loading of freight, or freight damaged when taken on or left off, shall be minutely reported in their Journals. Before starting Trains from Stations, they shall satisfy themselves that the doors of the Cars (loaded and empty) are shut and secured; imperfect fastenings shall be noted in Journal.

Upon stopping at Stations or Sidings, they shall examine the axle-journals, to see that none are heating; any seeming negligence in oiling to be reported.

At night, when Trains are shunted clear of the main track, Conductors shall have the tail-lamps taken off or obscured, so that an approaching Train may not mistake them for *Signals*.

C. J. BRYDGES,
Managing Director.

REPORT

Of the Directors of the Great Western Railway of Canada, to be presented to the Shareholders on Friday, Sept. 29th, 1854.

~~~~~  
WITH A STATEMENT OF ACCOUNTS, &c. &c. &c.  
~~~~~

In pursuance of the understanding come to at the Annual Meeting in June last, the Directors of the Great Western Railway now meet their Stockholders for the purpose of laying before them a statement of the operations of the Company during the first half year of the line being opened for traffic—of the outlay of capital, and progress made towards the completion of the works—and an estimate of the expenditure still considered necessary to finish the line in a way that will enable it to do the business which there is reason to believe will come upon it. In the estimate required for future outlay, the Directors have formed their judgment upon a careful consideration of all the circumstances involved. No expense or outlay is included which they think can safely be omitted, and they have tried to study the Shareholders' interest in all that has been done.

From the Revenue Accounts appended to this Report, it appears that the gross traffic for seven months, from the 1st January to the 31st July, was £150,105 11s. 8d., which, after deducting working expenses and all interest on bonds and borrowed money, leaves a sum of £37,479 8s. 6d. available for dividend on the share capital, from which the Directors recommend that a dividend be now declared of three per cent. up to 31st July, 1854, which will leave a surplus to be carried to the credit of the current half year of £457 18s. 6d.

It will be in the recollection of the proprietors that the line was not opened throughout until 27th January, 1854, and as the traffic for the first few weeks was very small, the line may be said to have been practically in operation for less than six months, up to 31st July, 1854.

V A Y.

Dr.

Cr.

| | Expenditure to May, 1854. | From 1st June to July 31st. | Total. |
|----------------------|------------------------------|--------------------------------|--------------|
| Share Capital—amount | s. d. | £ s. d. | £ s. d. |
| Shares..... | 35 12 2 | 1,274 0 7 | 150,509 12 9 |
| Convertible Bonds— | 144 14 11 | 13,459 13 4 | 913,504 8 3 |
| 1856,..... | 22 1 10 | 5,621 7 4 | 237,343 9 2 |
| Do 1860..... | 31 3 10 | 3,710 15 6 | 118,014 19 4 |
| | 17 11 0 | 62,883 13 6 | 303,801 4 6 |

Dr.

Cr.

| | £ s. d. | £ s. d. |
|----------------------|-------------|-------------|
| Balance from Revenue | | |
| 244,414 at 6 | | |
| ..... | 7,300 0 0 | |
| for liquidation | | |
| ..... | 3,650 0 0 | |
| ..... | 6,468 15 0 | |
| ..... | 19,499 15 8 | |
| ..... | 8,397 4 10 | |
| | | 45,315 15 6 |
| | | 37,021 10 0 |
| | | 82,337 5 6 |
| | | 457 18 6 |
| | | 82,795 4 0 |

Dr.

Cr.

| | £ s. d. |
|----------------------|--------------|
| Balance at debit of | |
| Municipal Debentures | 37,479 8 6 |
| Stores on hand..... | 108,372 8 9 |
| Fuel..... | 318,061 13 4 |
| Sundry Balances due | |
| Balance at Debit of | |
| | 463,913 10 7 |

Hamilton, S

BRACKSTONE BAKER,

Secretary.

To the report, are appended four statements, shewing the details of the aggregate traffic.

Statement A exhibits the numbers of passengers travelling over the line in each of the respective months.

Statement B shews the amount received monthly for each item of traffic, and

Statement C affords full details of the different descriptions of freight carried.

Statement D shews the traffic from each station in passengers and freight.

The expenses which have been incurred in earning the above amount of traffic are fully set forth in the accounts.

The exact cost of the maintenance of the line is very difficult accurately to ascertain, from the fact that so much of the line was incomplete, the necessary works upon which were being carried on by the Company simultaneously with the repair of the permanent way. It has therefore been determined to charge against maintenance of way, a sum equal to £120 currency, per mile, and this considering that it is the English practice invariably to include maintenance during the first six or twelve months as a charge upon construction, will, it is hoped, be satisfactory to the stockholders.

The Directors have pleasure in referring to the satisfactory report of the engineer relative to the present condition of the line, and the prospects of its being, when completed, a substantial work.

The Directors must also refer to the engineer's report for full details as to the extent and cost of the work still remaining to be done.

The charge incurred by the Locomotive Department is large, from the causes mentioned in the superintendent's report, hereto annexed. The first opening of so extensive a line as the Great Western Railway in the depth of winter, materially enhanced the cost of everything connected with the working of the line, and the exceedingly high rate of wages and the great difficulty in procuring good and steady workmen, added greatly to the cost. The roughness of the line, upon the breaking up of the frost, also added materially to the wear and tear of the Engines, and the accidents which have happened from cattle getting on the line, have also largely increased the cost of repairs.

The whole charge of this Department amounts to £15,759 7s. 0d. and the number of miles performed by Engines amounts to 246,668, making the cost per mile run 1s. 3¼d. currency, equal to about 1s. sterling—this under the circumstances is not high.

The Stock of Engines at present, stands as follows, namely:—

| | |
|--|----|
| No. in good working order..... | 26 |
| “ requiring heavy repairs..... | 3 |
| “ “ slight “ | 5 |
| | — |
| Total now on the line... | 34 |
| “ ordered from Slaughter & Co. for | |
| Freight Trains..... | 8 |
| No. ordered from Fairbairn & Co..... | 6 |
| | — |
| Total for working the line at present, | |
| received or under contract..... | 48 |
| No. of Ballast Engines..... | 8 |
| | — |
| Total..... | 56 |

The Directors looking at the existing and expected traffic, are of opinion that four additional Engines must be ordered.

Several items in the Locomotive account, will, it is hoped, be henceforth somewhat reduced, such as the charge for labourers, cleaners and pumpers—this has been hitherto high on account of the unfinished state of the Tank-houses, Engine Sheds, &c. Arrangements are progressing for economising the consumption of fuel, oil, and waste, though it is to be feared that the cost of fire wood may increase so as to neutralize any savings that will be effected in its future consumption.

The cost of the Car Department is high, owing mainly to the best quality of iron not having been used for the cars, and to other defects in their original construction—nearly the whole of the iron work has had to be renewed, as also 18 pairs of trucks under the Passenger Cars, and this, combined with the injuries caused by accidents arising from cattle has tended to swell the whole charge to an amount which will it is hoped, be in future quite exceptional in proportion to the number of cars in use. The following is a statement of car stock :—

| | Received. | Under const. | Total. |
|-------------------------------------|-----------|--------------|--------|
| Passenger Car, 1st Class..... | 30 | 15 | 45 |
| Emigrant..... | 20 | 20 | 40 |
| Baggage Express Mail Cars..... | 12 | 15 | 27 |
| Box Freight Cars, eight Wheels..... | 215 | 466 | 681 |
| “ four “ | 0 | 215 | 100 |
| Platform Cars..... | 100 | 49 | 140 |
| Cattle Cars..... | 0 | 20 | 40 |
| Sheep Cars..... | 0 | 20 | 20 |
| Gravel Cars..... | 409 | 0 | 409 |
| Total..... | 786 | 716 | 1502 |

The existing Stock of cars has been improved by the repairs which have been made during the past half-year. The Directors are of opinion, that considerable improvement may be made in the construction of both Passenger and Freight Cars, especially in relation to the use of seasoned timber—and this question will receive their careful attention and consideration.

The items under the head of Traffic and General Charges do not, with one or two exceptions, require much comment.

The Charge for the Steam Ferry, at Windsor, is one which is partially covered by the rent of the Refreshment Room, on board the steamer, and by fares received from other than Railway passengers—a small charge for ferriage is also included in the fares of through passengers.

The charge for Foreign Agencies is one arising from the peculiar system adopted upon this Continent by all Railway Companies. It consists of the wages and salaries of a number of Agents and Runners scattered through the States to East and West of this line, and whose duty it is to induce travel to adopt this particular route ; the system is beyond all question a bad one, besides involving a great expense. Efforts are now being made by co-operation amongst all Railway Companies, to abolish the system, and it is confidently hoped that this large expense will be materially reduced, if not almost entirely abolished.

The charge for printing, stationery and advertising is large, but now that all the Books and Forms connected with the working of the line are set up and arranged, this expense will in future be reduced.

The cost of insurance, now £1,200 per annum, is very heavy, and it will be worthy of consideration at an early period, whether the practice of American Railways should not be followed, viz: By the company taking the risk of fire upon itself, and laying aside annually a sum equal to the present charge for insurance, until the fund reaches an amount which might, with interest, cover all risk.

The whole expenses for working the line have been at the rate of 44.84 per cent upon the gross receipts.

The business of the Company, so far as relates to the Passenger traffic, has for some considerable time been conducted with regularity. The Freight traffic has been subject to some irregularities, arising mainly from an insufficiency of engine-power and of cars, and in some places *want* of sufficient warehouse and *siding accommodation*. These various difficulties are however gradually disappearing, and the arrangements now in progress will, it is confidently expected, place the working of the freighting business on a satisfactory footing.

| | £ | s. | d. |
|--|-----------|----|----|
| The Accounts shew that up to 31st July, 1854, there had been incurred a gross charge of.... | 2,907,007 | 8 | 1 |
| The Amount still due for Rolling Stock, Machinery, &c..... | 171,229 | 1 | 1 |
| The Amount required to complete and ballast the Line, Works and Stations, as per Estimate of Engineer, is..... | 359,108 | 15 | 0 |
| Amount still required for land and land damages. | 20,000 | 0 | 0 |

Total cost of Line and Rolling Stock.... £3,457,345 4 2

A further sum of £35,000 will be required for the completion of the two steamers.

Since the Annual Meeting in June last, the Company applied for and obtained Bonds of the Provincial Government to the amount of £300,000 sterling; these Bonds were not, however, received until after the 31st July last, and accordingly do not appear in the present accounts—they have been, however, since then, disposed of upon satisfactory terms, and the proceeds placed to the credit of the Company.

This makes the position of the Company stand, on the 31st July, 1854, as follows:

| | £ | s. | d. |
|--|----------|---------|-----|
| Amount due to Contractors, &c., including percentage retained..... | 108,372 | 8 | 9 |
| Temporary loan from Bankers..... | 318,061 | 13 | 4 |
| Amount of Engineers' Estimate to complete the Line..... | 359,108 | 15 | 0 |
| Land and land damages, say..... | 20,000 | 0 | 0 |
| Amount required for Rolling Stock, Machinery, &c..... | 171,229 | 1 | 1 |
| Total..... | £976,771 | 18 | 2 |
| Less proceeds of Government Bonds..... | 373,800 | | |
| “ other assets..... | 109,850 | 483,650 | 0 0 |
| Balance..... | £493,121 | 18 | 2 |

Of the above amount some portion will be payable in Bonds and Shares.

The total cost of the Line and Plant having so much exceeded all previous calculations, the Directors will endeavour to explain the causes which have led to this large increase of cost.

The original estimate of the cost of the line was made several years ago, when the price of labour, materials, land and everything relating to the construction of a Railway was extremely low in Canada. It appears that the estimate was framed upon the assumption that the line starting from the Falls of Niagara, about 100 feet below the level of Lake Erie, would keep on that level and so not have much rise to overcome in reaching the Detroit River. It seems also that no detailed survey and estimate of quantities was then made.

A year or two after this, the then Engineer reported that he thought the line could be carried through for the sum originally estimated.

It appears that even at that time no detailed and accurate survey and measurements had been made, as many parts of the line were not even finally located, but the Engineer was instructed to shew in detail the exact cost of every part of the line. It is necessary here to mention that in 1851 and 1852 contracts for the construction of the whole of the line had been let to various parties, based upon plans and profiles made at that time and containing stipulations that the Contractors would proceed with the works when ordered to do so—these contracts will be hereafter referred to.

The above mentioned Report was received in September, 1852, and shewed that the cost of the line, exclusive of land, interest, management, &c., would exceed the first estimate by about £300,000 Currency. It had always been understood that the Great Western Railway would be nearly as easily constructed as the lines in the Prairies of the West, and that its cost would therefore bear something like a proportion to the cost of those Western Railways. But such turned out not to be the case, as will appear from the following extract from a Report made in June, 1853, by the then Engineer of the Company, viz:—

“From a pretty large experience, both professionally and as a Contractor on public works, I had supposed myself familiar with many hard and difficult points of execution, but I am fully satisfied that with the exception of rock excavation, more difficult obstacles and inveterate and extended in their character are seldom found, even on as extended lines as the Great Western, than are encountered between Niagara Falls and Windsor.”

In proof of this it may be remarked that the original design of the line, to keep on the high ground 300 to 400 feet above the level of Lake Ontario, was changed, and it was determined that the line should strike the lower lake at Hamilton. To accomplish this the line is brought gradually down the side of what is termed the “Mountain,” which forms, it is supposed, the original boundary of Lake Ontario. The works upon this part of the line are very heavy indeed, as appears from a return of the cost of the first 18 miles from Niagara Falls, this portion without land, rolling stock, or any other charge but the mere cost of the line itself has reached the large sum of £17,900 Currency, per mile. This brings the line to the level of Hamilton, where extensive Station grounds with large water frontage have been secured (about 30 acres), which were once covered with water, and have now been filled in with earth. From Hamilton the line rises about 800 feet above the level of Lake Ontario, and for about 30 miles has very heavy works indeed.

The cost of 24 miles of the line from Hamilton, westward, again exclusive of land, rolling stock, &c., has reached £21,500 currency per mile.

The contracts before alluded to, and under which the line has principally been constructed, must now be explained, first premising, that in their general features they are similar to most railway contracts in America, upon the model of which they were framed by engineers and others, who had been concerned in the construction of railways in that country. These contracts are wholly dissimilar to English contracts: they specify no defined sum which the works are to be constructed for, but the price is fixed in this way—they contain clauses which provide that the different kinds of work shall be executed at certain prices per yard, no word being said about the whole quantity or gross number of yards comprised in each contract—for instance, the contracts run thus:

| | |
|-------------------------------|--|
| For indurated earth | () cents per yards, measured in excavation. |
| For common earth | “ do. do. |
| “ hard pan | “ do. do. |
| “ rock | “ do do. |
| “ masonry | “ dollars per yard. |
| “ brickwork | “ do. do. |
| “ bridging | “ do. per 1000 feet, B. M. |

and so on, for all the different kinds of work which the contractor may have to execute in forming the part of the line let to him. The paying of different prices for different kinds of earth is obviously a bad one, *because disputes, almost impossible of a clear and satisfactory solution, invariably arise as to the exact quantities of the different kinds of material.* But it must be at once obvious, that the only proper guide with such contracts, as to the whole cost of the line, must entirely depend upon accurate preliminary measurements of the quantity of work to be performed.

After the Engineers' Report of September, 1852, before referred to, a change took place in the Engineering Department, and *in June, 1853*, the then Engineer made a report, in which he stated that he had caused careful estimates to be made of the different kinds of work throughout the entire line, and handed in detailed estimates of the quantities and cost of every part of the line—the cost being based upon the prices contained in the contracts. His report showed that the aggregate cost of the line would, according to his calculations, exceed the estimate rendered in September, 1852, by about £340,000 currency. It was about this time that a most extraordinary advance took place in the cost of labor, provisions, materials, land, and indeed almost everything in Canada, and this had a very important and unfortunate effect upon the cost of the Great Western Railway. Contractors in Canada are (necessarily) in most cases, men of small capital, and it is clear that, unless they get remunerative prices for their work, they are unable to carry it forward, because they depend upon being able to pay their men, buy provisions for the men and horses, purchase materials and implements, out of the money they monthly receive from the Company, on account of the estimates of the work they have done. The result of this is, that when a contractor failed, as many of them did, the only course to pursue was to relet the works at prices which would enable them to be carried on. This applies peculiarly to all mechanical work, such as masonry, bridging, &c., the wages of skilled laborers having risen to an enormous price, as also the price of timber and iron.

It must also be mentioned, that in many instances the character of the mechanical structures has been much improved, thereby adding to the cost.

It is easily to be seen how these various facts tended to increase the cost of the line ; but, in addition to this, it now appears that the estimated quantities of work fall in many cases considerably below the actual fact.

For instance, it now appears that the earth work was short estimated by about 600,000 yards.

In the item of bridging there has been an under estimate of upwards of 2,300,000 feet, B. M.

The cost of the Station buildings will exceed the estimate by about \$60,000.

In superstructure, that is, the cost of the iron, sleepers, spikes, &c., and laying them, there has been a very large increase. In the early estimates, the rails were put down at the first cost in Wales, and no allowance made for transportation, insurance, or duties. In the report of June, 1853, the Engineer endeavored to remedy this omission, and made out what he supposed then to be liberal allowances for these items ; but his calculations have been greatly upset by the large increase in price before referred to, as having taken place in Canada towards the close of last year. The necessity for delivering the iron at various different points, making it necessary to cart it along miserable roads from the various ports on Lake Erie, Ontario, and St. Clair, to the line of railway, added very largely to the cost under this head. The extent of sidings estimated in June, 1853, turns out to be far below the absolute requirements of the traffic. It was then estimated that 17 miles of sidings would be sufficient ; but as there are now 33 stations, with the certainty of a very large freight traffic, it is perfectly clear that far more will be needed.

It appears again, that it is not usual for Engineers in this country to add a percentage to their estimates for extras or contingencies. But the fact shews, that extra Bills, which could not be avoided, and which could not have been estimated, except in the shape of contingencies have been passed by the Engineer to the amount of upwards of \$300,000.

The cost of the land is another large item of increase, arising to a large extent from the great progress of the country and the prospects of large traffic, showing the necessity of acquiring more land at Stations than was at first anticipated—the cost of land was first estimated at about £20,000. It will cost in all about £175,000 currency.

The next important item is that of rolling stock, where a very large increase has taken place. It will need no explanation to point out that this expenditure, when really necessary, as in this case, is the best expenditure that can be incurred.

The original estimate for rolling stock was never increased until June, 1853 ; probably from the fact, that no very exact knowledge existed as to the description or extent of traffic that would arise. It however became early quite manifest, after the opening of the Line, that if it was ever to pay any dividend, a great deal more rolling stock would beyond all doubt be immediately required.

The original estimates shewed that the following stock would be needed :—

| | | |
|---------------------------------------|----------|-----------|
| 20 Engines (or one to every 12 miles) | £50,000 | currency. |
| 25 Passenger Cars, holding 64 each | 16,500 | “ |
| 20 Emigrant Cars | 10,000 | “ |
| 12 Baggage and Express Cars | 6,000 | “ |
| 100 Platform Cars | } 45,000 | “ |
| 150 Freight Cars | | |
| Total | 127,500 | “ |

To the above the Engineer's Report of June, 1853, added but little, viz :—

6 small Engines, for ballasting purposes,
2 Passenger Cars,
100 Freight Cars.

In a report from the Managing Director of the Company, which was circulated amongst the Shareholders in August, 1853, there occurs the following passage, viz :—

“ I may, however, here say, that if my expectations of traffic are at all realized, we shall need a very much larger quantity of Rolling Stock than has ever yet been estimated as necessary.”

The traffic of last winter and spring fully justified those expectations, and the Directors have now some experience to guide them as to the extent of rolling stock that is necessary to carry on the business, and accordingly the necessary quantity is stated in the early part of this report.

From the foregoing explanation, it will be seen how impossible it was to foresee the large additions which have been made to the cost of the Line, but it is satisfactory to know that about £300,000 currency, of the increase is for the rolling stock.

The question then arises as to the return which may be expected upon the gross cost of the Line.

It may be here remarked that, although the Bonds of the Provincial Government form an extra charge upon the revenue of the Company of £15,000 sterling a-year—yet that this amount being invested, as is required by Law, at compound interest, will in about 19 years extinguish the said Bonds, or upwards of one-sixth of the capital of the Company. This gradual process of liquidation, of course, adds to the value of the stock in proportion as the process of liquidation goes on.

The question as to the probable traffic must now be treated. The traffic for the past seven months was seriously impeded by the incapacity of the old Suspension Bridge at Niagara Falls (designed only as a temporary structure to be used during the construction of the new Bridge) to accommodate the unexpected business that was forced upon it—by the insufficient supply of Engine power, preventing the Company during the spring from running more than one through train daily—and by the want of a sufficient number of freight cars to convey the goods that were offered. The traffic, however, from the 27th January to 31st July, 1854, averaged £5,200 c'y., per week ; and for two weeks in succession it reached upwards of £7,000 c'y., per week. The great heat of the weather during the summer, and the unusual sickness which prevailed throughout the continent seriously affected the traffic, of this and all other Railways, and also gave the steamers on Lake Erie a great advantage from the fact of their being no steamers on Lake Ontario in connection with the Great Western Railway.

The summer season on this continent is not the busiest for American Railways. In addition to the experience of the Great Western itself, the following example will be sufficient, viz., on the Southern Michigan Line the traffic in July, 1853, was \$116,263.

In October, 1853, it was \$220,804.

In considering the question of future traffic, it may be useful to look at the following facts :—

On the Southern Michigan the receipts,

| | 1852. | 1853. |
|----------------|-----------|-----------|
| In August were | \$ 95,108 | \$154,063 |
| In September | 118,805 | 198,287 |
| In October | 134,947 | 220,804 |

For the month of June, this year and last, the following lines shew receipts as under :

| | 1853. | 1854. |
|-----------------------|-----------|-----------|
| Michigan Central | \$119,433 | \$171,359 |
| “ Southern | 148,946 | 185,635 |
| Pennsylvania | 156,978 | 227,652 |
| Ohio and Pennsylvania | 55,350 | 82,059 |
| Hudson River | 94,978 | 158,074 |

From the above it will be seen, that whilst the Michigan Central has, owing to the opening of the Great Western Railway, increased so largely, the Southern Michigan has also increased largely, notwithstanding the opening of the new avenue to the Western States.

From the foregoing facts the Proprietors will be enabled to draw their own conclusions. The prosperity of the Company must of course depend mainly on the future traffic that may come upon the Line, and in this respect the Directors repeat the expression of their confidence that it will become ample and remunerative as the resources of the country are developed. The limited experience thus far obtained is most encouraging, and is also sustained by the opinions of all parties whose business knowledge and connexions in the country entitle those opinions to weight. It is of course impossible to point with certainty to any particular sum as a weekly receipt for next year, but in naming £7000 c'y.,—reckoning from 1st August last, it will not be generally thought a sanguine estimate. Another year would and probably will materially increase whatever the amount may be this year. As a passenger route for the Chicago travel this line is at present unquestionably commanding a preference, and the rapid growth of that city and the districts with which it is connected cannot fail progressively to increase the through business.

The traffic since the end of August, has increased as follows, and continues steadily to advance, viz :—

| | | | |
|----------------------------|--------|------|------|
| Week ending 8th September, | £4,931 | 0s. | 2d. |
| “ “ 15th “ | 6,141 | 18s. | 10d. |
| “ “ 22nd “ | 7,439 | 12s. | 1d. |

It is however, right, distinctly to point out, that further outlay for Rolling Stock and Station accommodation will be required to accommodate the business whenever the traffic averages £8,000 to £10,000, per week, and that amount of traffic will also force the Company to consider the necessity of doubling some part of the line.

Looking to the present position of the Company, application is now being made to the Provincial Parliament for an extension of capital. The Act also contains several amendments to the existing charter found to be necessary for various purposes.

The Books of the Company have been examined from the commencement by Judge O'Reilly and R. P. Street, Esquire, whose certificate to that effect is appended to the accounts, and the Directors think it but right to state that those Gentlemen have most carefully and thoroughly carried on this important duty.

On the 21st August last, the Galt Branch was opened for public traffic, and the business upon it is already encouraging.

Since the Report of June last, the arrangement then mentioned as being under discussion with the Grand Trunk Company, has been completed and formally ratified by the two Boards. It provides for the postponement for a certain period of all questions which might bring the two Companies into conflict, and your Directors trust that the harmony now happily subsisting between the two Companies may continue to the advantage of both.

As a part of the foregoing arrangement, the Sarنيا Branch of this Railway has been suspended for a certain period.

Signed by order of the Board of Directors,

ROBERT W. HARRIS,
President.

Hamilton, 26th September, 1854.

REPORT OF THE ENGINEER.

To the President and Directors of the Great Western Company.

GENTLEMEN,

I have the honor to submit to you the following Report on the present condition of the Line :

The Road was opened for public traffic in three different sections successively. The first division from Hamilton to the Suspension Bridge, Niagara Falls, 43 miles in length, was opened to the public on 10th November, 1853 ; the second from Hamilton to London, 76 miles in length, on 21st December, 1853 ; and the third from London to Windsor, 110 miles in length, on January 27th, 1854. The Galt Branch, 12½ miles long, has since been opened on 21st August last.

The construction of the Line was at that time under the direction of John T. Clark, Esquire, your Chief Engineer ; but he having early in the present year, accepted the appointment of State Engineer and Surveyor of the State of New York, in consequence gave up all active superintendence of the completion of the Works on the Line. The charge of carrying on these was then entrusted to myself and Mr. Scott, each having one half of the Line under his distinct supervision ; and on the retirement of Mr. Scott from your service on the 18th of July, I was appointed to the management of the Engineer Department of the whole Line.

At the period of the opening of the Line for public traffic, the works generally were in an unfinished state ; the prosecution of which towards completion has been steadily and successfully effected till the present time. The principal works which still remain in progress of construction are the following :

1—EARTHWORKS, OR GRADING.

At the time of opening the first section of the road, three of the heaviest cuttings between St. Catherines and the Suspension Bridge were incomplete, and the Railway track was carried through them on a temporary grade, elevated respectively at their summits 5, 12 and 6 feet above the intended permanent level. The first of these, at St. Catherines, has been for several weeks sufficiently far advanced to admit of the track being laid at its ultimate grade, over which the trains now pass. The other two, situated between Thorold and St. David's—which consist, one of hard-clay, with boulder stones, and the other of limestone rock—are still unfinished; and the former of the two (requiring still the removal of upwards of 65,000 yards), will not be ready to receive the track at its permanent grade till midsummer of next year. The embankments formed by the material from these excavations are of course also unfinished, and the gap in each of them is now spanned by a strong temporary trestle structure.

Between Hamilton and London the unfinished grading works, at the beginning of this year, consisted of the completion of the filling up of the Depot grounds at Hamilton; the embankments over the Desjardins gorges; and cuttings at St. Georges, the Grand River and River Nith. The three works of embankment above mentioned have been steadily prosecuted all summer; the trains being carried over the Desjardins and Dundas gorges on strong temporary trestle Viaducts. The Desjardins embankment, which still requires about 30,000 yards of material, will be complete in six months; that at Dundas will be finished in a fortnight from this time; and the three cuttings west of these, which were at the first taken out to the ultimate grade, will have their sides sloped back before the approach of winter, to such an extent as will prevent any risk of accident to passing trains.

Between London and Windsor, two heavy clay cuttings were unfinished when the line was opened, and through one of them the track was laid down at a grade elevated a few feet above the permanent level. One of these cuttings is now quite finished, and the other, which still requires the removal of 35,000 yards of material, will be completely opened out early next year.

2ND—MASONRY AND BRIDGING.

Under this head there remained unbuilt at the opening of the Line a large number of public and private Road Bridges over the Railway track, as well as numerous surface road crossings, cattle passes and cattle guards. These works have been carried on as rapidly as circumstances would allow, leaving at this time not more than eighteen of the above road bridges to be built, and but very few of the surface crossings and cattle guards. A retaining wall, about 850 yards long, at the feet of the slopes of the cut immediately east of Hamilton station, is now being built, and will be finished by 1st December. The construction of this wall was necessary for sustaining the slopes of the cutting, which consist of a quicksand for a height of three feet from the bottom.

3RD—BUILDINGS.

Shortly after the opening of the Line, all the station buildings employed for the Passenger Traffic, and all the Freight houses at the way stations, were finished and equipped; as was also (with one or two exceptions) all the buildings and

apparatus for wooding and watering the trains. At the present time an enlargement of the Freight houses at the Suspension Bridge and at Windsor, and the completion of the stone Freight house at Hamilton, are in progress, and will be finished in time for the accommodation of the Fall Freight, with the exception of one third part of the Hamilton Freight house. A new second class station house and siding will be opened immediately at Dorchester, between Ingersoll and London, and two others, of the same description, between London and Chatham. Besides the above-named buildings, now in progress, an addition to the Freight accommodation, and an alteration of the present arrangement of buildings and sidings for freight traffic at the Falls station will be required when the Suspension Bridge is ready for the passage of trains, (which is expected to be about 1st January next,) and which additions are allowed for in the estimate hereafter following. The water supply for the Engines, Workshop, and Station buildings at the Niagara Falls station is very defective, involving, as a consequence, an expense which need not necessarily belong to this service, and it has always been looked upon as a temporary character.

It is at present in contemplation to bring a supply from a permanent source, distant about one and a half miles, which will give a head of 25 feet above the level of the rails on the station yard, thereby obviating the necessity for pumping. An improvement of the water supply is necessary at some of the stations, especially on the Western Division, and will require a further sinking of two or three of the existing wells, and some trifling additional works.

The wharf along the front of Hamilton Depot grounds, on Burlington Bay, is not yet completed on its own length of about 2,200 feet, but it will be entirely finished to that extent at an early period next year.

4TH—SUPERSTRUCTURE AND FENCING.

The whole Line, with the exception of a few miles between Hamilton and Paris, was opened for traffic with a track laid upon an unballasted road-bed. Between London and Windsor, upwards of one-half of the track was laid upon a basis of longitudinal subsills of 3 inch plank as a temporary substitute for ballast ; and after the trains had commenced running, this system of subsills was introduced under the track in all the wet cuttings, and on freshly formed banks between the Falls and London. Simultaneously with the opening of the Line, three ballast trains commenced work between the Falls and London ; one of these was employed at the ballast pit at St. Davids, near the Falls, and is now at work in the gravel pit since opened at St. Catherine ; the second is at work at the Stoney Creek pit, 5 miles east of Hamilton ; and a third at the Dundas pit, six miles west of Hamilton. Shortly thereafter, a fourth engine and train commenced ballasting at the Grand River pit near Paris, and is now transferred to that at the River Nith, 3 miles West of Paris ; and in the beginning of June last, two ballast trains commenced work on the Western Division, one at the Lobo gravel pit, 10 miles west of London, and the other at Baptiste Creek, 13 miles west of Chatham. Three additional ballast pits have been obtained, and are ready to be worked ; one of these is situated a few miles west of Ingersoll, the second between Lobo and Chatham, and the third between Baptiste Creek and Windsor. The ballast obtained from these pits is of as good a quality as the country affords, consisting either of a coarse sand and gravel, or of a uniform medium sized gravel. The length of track ballasted by these trains up to this time is 26 miles of the section

between Hamilton and the Falls ; 48 miles of the section between Hamilton and London, and 18 miles of the section between London and Windsor. On nearly one half of the above distance of ninety-two miles, the Line has not yet been raised to its permanent level, but a sufficiency of material has been packed under the cross ties to preserve it from sustaining any unusual injury on the breaking up of the frost. It is deemed preferable to accomplish as great a length as practicable of even a partially ballasted bed, before winter, than to carry up the track to its full height as the work proceeds.

The ballasting of the whole Line is being performed under contract, by Mr. G. F. Harris, who is bound by such Rules and Regulations in the times of running of his ballast trains, &c., that there has never been the slightest interference with the running of the Company's passenger or freight trains.

An increased siding accommodation for new stations, and for the freight traffic of the Line at all the principal Stations, is still required, amounting in all to nearly—

| |
|---|
| 2 miles additional on Eastern Division, |
| 3 miles do on Central Division, |
| and 4 miles do on Western Division. |

The iron and cross ties for this additional track are already on hand ; leaving merely the cost of grading and laying down to be incurred.

The turntables in front of the Engine Houses at the Falls, Hamilton, Galt, London, Chatham, and Windsor Stations, have all proved to be too weak for the service required of them, and an additional cost must yet be incurred in strengthening them.

The fencing of the Line was in many districts in a very unfinished state when the trains commenced running, owing to the failure in almost every instance of the fence contractors to fulfil their contracts within the specified time ; all the contracts requiring the completion of the fencing nearly twelve months before the Line was opened. Every effort was exerted to urge forward the contractors with this work, but owing to the unremunerative prices at which most of it was taken, (the price of lumber and labor having risen in the interval between the time of commencement and completion of their contracts fully 30 per cent.), the fencing progressed so slowly that it was found necessary to put on large forces of men in the pay of the company to push it forward, and at the same time to increase the contract prices, so as to enable the contractors to carry through the Work. The Line is now all securely fenced in with the exception of about two miles on the Western Division, which will be entirely finished within two months. It is in contemplation to cap and batten the whole of the post and board fences early next year. The fences consist of post and board for about two-thirds of the whole distance, and rail fence for the remainder.

All the surface crossings of public roads are protected either by gates and watchman, or by cattle guards. All the private road crossings are closed against the railway track by gates.

PRESENT CONDITION OF THE LINE AND WORKS.

All the mechanical structures have stood the test of the daily heavy traffic over them, without evincing any signs of inherent weakness. Two months before the opening of the Eastern section of the Line, the culvert over the Twelve-mile Creek at St. Catharines, broke down, when the heavy clay embankment was

being formed over it. It had been unfortunately built on an insecure natural foundation, without any artificial aid beyond a bed of concrete and a double course of planking, and the consequence was, that the immense pressure of the bank over it, added to its own weight, broke the bench walls through the upper crust of the foundation, and caused them to settle $5\frac{1}{2}$ feet into a stratum of soft clay beneath. This culvert was 25 feet span, a heavy structure, begun nearly two years before the accident occurred. The Line was opened by means of a temporary trestle structure, built over the spot where this accident happened; and now a more durable trestle viaduct has been built, for a length of 900 feet, on a deviated line, so as to admit, at a future time, of the reconstruction of the culvert, or the substitution of a viaduct built up to the level of the rails. All the other culverts on the Line are standing well, being in general composed of very good rock-faced ashlar masonry. The larger bridges consist generally of wooden trusses from 100 to 160 feet, spans, resting, in most cases, on stone abutments; none of these have suffered at all from the past eight months' traffic. The greater number of these, as well as all the larger stone culverts, have been built of a sufficient width to admit a double track being laid down over them. All the public and private road bridges over the line are built of timber, resting on dwarf piers and abutments of stone masonry. On the Western Division of the line, between Lobo and Chatham, where no stone could be obtained, the structures are built entirely of wood, supported on piles.

The experience of the past winter and spring has testified most satisfactorily to the durable and substantial nature of all the earthworks along the line, unfinished as they were in many important respects at the period of the opening of the line. The only interruption to the traffic of the road took place at the Desjardins embankment trestlework and at the Mountain slides near Dundas, both of which works were entirely of an exceptional character.

The bank over the Desjardins gorge is at an elevation of 75 feet above the water level, beneath which there is at the centre of the gorge a depth of 60 feet of mud before a solid bearing is reached. A sudden subsidence of a portion of the bank during its formation in the beginning of July last, depressed the trestle work to the extent of several feet, thereby obstructing the passage of trains over it for nearly a week whilst it was being raised again to its original level. The experience of the past two months affords very strong proof that this bank has now practically attained a solid bearing on the bed of the gorge, and that even though some slight settlement should continue to take place during the progress of its construction, the trestle structure can always be kept in perfect line and level without interrupting the passage of the trains.

The risk of any future detention of the trains from the sliding of the mountain slopes near Dundas is also so far as can be foreseen, almost entirely obviated. At the two points where heavy slides took place last spring (one of them in the beginning of March last, blocking up the track for four days) the line of track has been deviated to a considerable distance outward from the mountain, rendering it in all probability free from any danger even though a slide as great as those of last spring should again occur. The location of the line for nearly three miles here is in a partial excavation along the winding slope of the Burlington ridge, which is composed of loose limestone rock debris resting upon detached layers of blue and plastic clays. This material from the time that it was disturbed by the Railway excavations, has hardly ever ceased to be in motion at one point or another; and on the breaking up of the frosts in the spring of the

year there is a constant liability of slides taking place. The porous nature of the material composing the mountain slopes, prevents the possibility of cutting catchwater ditches to convey away the water to the nearest channels and thereby diminish the risk of slides; and the great height of the slopes before the summit ridge is reached renders useless the cutting of ditches along the summit. But it is very reasonably expected that the deviation of the line above mentioned, will guarantee an unobstructed track during the worst seasons of the year.

The Copetown cutting nine miles west of Hamilton, which presented so many obstacles to its completion during the construction of the line, has never since the trains commenced running, interrupted for a moment the daily traffic through it; and at present the track and road bed there are as sound as any portion of the line. The system adopted for retaining the quick sand sides of the cutting, by means of a line of sheet piling on each side, sustained in position by transverse shores of whole timbers, has fully answered the purpose intended.

The embankment over the bog at Mudge Hollow, five miles west of Paris, which occasioned so much difficulty during its formation by reason of its continued settlement in the soft material of the bog to the depth, in one place, of 35 feet, has been so effectually formed by the aid of the brushwood then introduced in layers into the body of it, that hardly any subsidence has taken place during the past six months, and none is apprehended at a future time. Westward of this place to Windsor, none of the earthworks have ever caused any trouble.

The track along the whole length of the line is at present, and has been since the commencement of the dry weather, in excellent running order; there being not more than six or eight miles in all, over which trains cannot run at their usual speed.

There is no appearance whatever of the track having suffered any injury from having been opened on an unballasted road bed, and subjected during the whole of last winter and spring to a very heavy freight and passenger traffic. One great safeguard against any damage from this cause consisted in the excellent quality of the sleepers or cross ties, which for more than seven-eighths of the length of the Line consist of sound white oak six inches thick by ten inches wide, laid at a distance of thirty inches apart from centres.

The rails on the main line are of three patterns; the flange or T rail with fished joints weighing 65 pounds per yard; the U or bridge rail weighing 66 pounds per yard, fastened at the joints with a wrought iron plate on which the ends of the rails rest, and are spiked down to the cross ties and bolted together by a bolt and nut; and the light and heavy compound rails weighing respectively 66 and 80 pounds per yard, the two halves of which are riveted together and spiked directly to the cross ties. Of the above there are on the main Line $34\frac{1}{2}$ miles of fished T rail; 156 miles of U rail; $23\frac{1}{2}$ miles of light compound rail; 15 miles of heavy compound rail. All the sidings are laid with the common T or flange rail weighing $62\frac{1}{2}$ pounds per yard, with cast iron chairs at the joints.

Subjoined I beg to lay before you a detailed estimate of the cost of completing the above mentioned works, dating from 1st August last, in which an allowance is made for every item required for finishing the road-bed and track in a first class manner, and for placing the whole of the works and structures in a perfectly sound and finished condition.*

* It has not been considered necessary to print all the items composing the estimate, and, therefore, all but the summary is omitted.

EASTERN DIVISION.

| | \$ | c. | £ | s. | d. |
|--|---------|--------|---------|----|----|
| 1—Grading | 79,400 | 00 | | | |
| 2—Masonry, Bridging, Building, &c... | 165,550 | 00 | | | |
| 3—Drainage Works..... | 35,960 | 00 | | | |
| 4—Permanent Way..... | 127,560 | 00 | | | |
| | <hr/> | | | | |
| | 408,470 | | | | |
| Add ten per cent for Engineering and Contingencies..... | | 40,847 | | | |
| | <hr/> | | | | |
| | 449,317 | | 112,329 | 5 | 0 |
| | <hr/> | | | | |

CENTRAL DIVISION.

| | | | | | |
|---|---------|--------|---------|---|---|
| 1—Grading..... | 107,400 | 00 | | | |
| 2—Masonry, Bridging, Building, &c... | 136,900 | 00 | | | |
| 3—Drainage Work..... | 133,160 | 00 | | | |
| 4—Permanent Way..... | 158,620 | 00 | | | |
| | <hr/> | | | | |
| | 536,080 | | | | |
| Add 10 per cent for Engineering and Contingencies..... | | 53,608 | | | |
| | <hr/> | | | | |
| | 589,688 | | 147,422 | 0 | 0 |
| | <hr/> | | | | |

WESTERN DIVISION.

| | | | | | |
|---|-------------|--------|----------|----|---|
| 1—Grading..... | 47,500 | 00 | | | |
| 2—Masonry, Bridging, Building, &c... | 106,500 | 00 | | | |
| 3—Permanent Way..... | 207,300 | 00 | | | |
| | <hr/> | | | | |
| | 313,600 | | | | |
| Add 10 per cent for Engineering and Contingencies..... | | 36,130 | | | |
| | <hr/> | | | | |
| | 397,430 | | 99,357 | 10 | 0 |
| | <hr/> | | | | |
| Total..... | \$1,436,435 | 00 | £359,108 | 15 | 0 |
| | <hr/> | | | | |

It must be borne in mind that the above estimate only covers the completion of the line with a single track throughout and has only made provision for the accommodation of a traffic not exceeding an average of £8,000 to £10,000 Currency, per week.

This estimate might be reduced to the sum of £309,000 by throwing out nearly the whole of the sums under the head of Drainage Works, and some other items not absolutely necessary for merely ensuring a sound and safe track, and a rea-

sonable amount of station and siding accommodation ; but by following this course with reference to the drainage works, the cost of maintenance of way would be largely increased and there would not be the absolute certainty of possessing a track secure from injury from rain or frost and over which the trains could run at full speed in every season of the year, which the adoption of the complete estimate would ensure. In fact, this estimate assumes the construction of a permanent way, equal in all essential particulars to that of an English Railway, and though it has not hitherto been the practice on this continent to make such a thoroughly completed track as is here contemplated, there cannot be a doubt of the sound policy of such a course, especially when it is borne in mind that the severe winters of this climate subject the track and drainage works to far greater risks of displacement and damage than the same are liable to in England.

There can be little doubt entertained as to the sufficiency of this estimate to cover the cost of putting the Line into the efficient condition above mentioned, because from the present advanced state of the Works, there is no heavy sum required for any one extensive piece of Work where a large margin for contingencies would be necessary ; but the gross expenditure estimated is made up of a large number of comparatively small items, all I believe accurately estimated in detail on the data obtained from the experience of the past eight months working of the Line.

I have the honor to be,
Gentlemen,

Your most obedient Servant,

G. LOWE REID,
Engineer.

Hamilton, 14th September, 1854.

REPORT OF THE MECHANICAL SUPERINTENDENT.

MECHANICAL DEPARTMENT,

Hamilton, 20th September, 1853.

*To the President and Directors
of the Great Western Railway.*

GENTLEMEN,—

In presenting my Report for the seven months ending 31st July, 1854, I beg to remark as follows :—

The stock of Engines is generally in good working order with the following exceptions, viz :—

*The Canada,
Niagara,
London,*

which require a thorough repair, they having been for many months before the Line was opened, employed in the construction of the Line, and subsequently in hauling the heavy Freight Trains. I have arranged that these Engines shall at once be thoroughly repaired so as to be available for the Autumn and Spring Traffic.

The repairs of Engines generally have been heavy, owing partly to the breaking of several Tender Axles, which were made of bad material; partly to the number of casualties occasioned by Cattle straying on to the Track when first opened; and partly to other breakages occasioned by the comparatively incomplete state of the Line at its first opening. The following Engines have from the above cause, been subject to heavy repairs, much new work has been done to them, and I consider them now to be stronger and more substantial than they were at first, viz:—

The Ontario,
Kent,
Gazelle,
Samson,
Chatham,
and Oxford.

The following Engines have also received considerable repairs, viz:—

The Canada,
Norfolk,
Brant,
Middlesex,
Essex,

they are now, with the exception of the *Canada*, in good working order having had various improvements introduced, and been strengthened in many parts.

The *Jupiter* was damaged by Fire at St. George's, when the Engine House there was burnt, through carelessness of the man in charge.

Our ordinary working expenses have necessarily been heavy, owing to the above and other reasons, viz:—the unballasted state of the road during the breaking up of the frost, rendering the Track uneven—the unfinished condition of the Water Stations, Engine Houses, and Workshops, and the want of proper machinery and convenience for doing the work economically. There has also been great difficulty in getting workmen. The great sickness of this past summer has materially increased the cost of labor. We are now supplied with various new machinery and in a few weeks I expect to have it all running, and the shops in a condition to do any work that may be required.

Two of the heavy Freight Engines ordered from Messrs. Slaughter & Co., are now on the line, and the others have arrived at Montreal. With these additions to the present stock, I hope to meet all the requirements of the winter traffic.

The total cost of working Engines inclusive of repairs has been 1s. 3¼d., currency, per mile, equal to about 1s. 8d.

The number of miles run by Engines during the seven months was 246,668.

The mileage of Engines on traffic account now averages about 11,000 per week.

The cost of maintaining and repairing cars has also been heavy arising from the following causes:—

The unevenness of the Track on the frost breaking up.

From bad material and workmanship.

From faulty construction.

From accidents arising from Cattle being on the track, and the breaking of bad Tender Axles, and

From the high prices of materials and labor.

We have had on an average six First Class Passenger Cars out of thirty, under repair daily. The repairs done have been expensive, amounting in some cases almost to renewals, but the whole stock I consider is improved. The Freight and Platform Cars have from the same causes been a sources of great expense ; nearly all the Iron work has had to be renewed or repaired ; but the Cars are on the whole in better condition than when they were delivered to the Company.

I have reason to expect that the expenses of the Car Department will in future be less in proportion to the miles run and the number of Cars in use.

I am, Gentlemen,
Your Obedient Servant,

W. BOWMAN.
Mechanical Superintendent.

AUDITORS' REPORT.

The Auditors beg to report that in pursuance of instruction received from the Board of Directors in April last, they have carefully examined the accounts and vouchers connected with the expenditure and receipts of the Great Western Railway up to the 31st July, 1854, and have much pleasure in being able to testify to their accuracy.

They beg, however, to remark that the amount of Traffic receipts as published herewith, exceeds the amount at the credit of the cash account by about £18,000, owing to that sum being due to the Company for freight charges, mails &c., and not having been received up to the 31st July. The necessary certificate for this asset has been furnished by the head of the Audit Department.

The Auditors may perhaps remark that the sum appropriated to maintenance of Way, is £120 per mile, though a larger sum was originally proposed for that purpose. In the unfinished state of the Line, when opened, Shareholders can best judge whether £120 per mile is sufficient—it seems impossible to separate in the gross expenditure exactly what amount under the circumstances belongs to construction and what to maintenance of Way.

Notwithstanding the very heavy expenditure incurred in the construction of the Line, it appears evident, that with judicious management, a very handsome return must eventually accrue ; and from the very cheering prospect which the gradually increasing traffic of the Line presents, it would not be premature confidently to assume that the Company will have a much larger sum available for a Dividend at the expiration of the next six months, than is now at the disposal of the Board of Directors for that purpose at the declaration of this—their first dividend. It is proper to observe that the whole of the accounts are kept in Haliac currency . All of which is respectfully submitted.

M. O'REILLY,
RICHARD P. STREET, } AUDITORS.

September 27, 1854.

GREAT WESTERN RAILWAY.

STATEMENT of Mileage, run by Passenger, Freight, Gravel and Wood Trains, for Seven Months, ending 31st July, 1851.

| | PASSENGER TRAINS. | | | | FREIGHT TRAINS. | | Gravel. | Wood. | Total. |
|-------------|-------------------|------------|----------|-------------------|-----------------|----------------|------------|--------|------------|
| | 1st Class. | 2nd Class. | Baggage. | Express and Mail. | Freight Cars. | Platform Cars. | | | |
| JANUARY.... | 40,204 | | 1,136 | 3,668 | 38,085 | | 140,685 | | 223,778 |
| FEBRUARY.. | 55,188 | | 22,718 | 8,804 | 45,268 | 2,490 | 33,000 | | 167,468 |
| MARCH..... | 62,753 | 7,632 | 24,264 | 10,960 | 57,222 | 4,366 | 56,404½ | 5,844 | 229,415½ |
| APRIL..... | 67,418 | 8,384 | 29,256 | 9,508 | 92,270 | 6,600 | 169,337½ | 11,275 | 394,048½ |
| MAY..... | 88,664 | 22,970 | 40,962 | 14,484 | 62,640 | 4,320 | 236,142½ | 16,044 | 487,126½ |
| JUNE..... | 80,096 | 36,412 | 41,256 | 14,760 | 51,867 | 5,301 | 448,000 | 17,280 | 694,972 |
| JULY..... | 75,758 | 31,974 | 3,844 | 21,348 | 57,560 | 10,515 | 512,000 | 17,300 | 730,299 |
| Total.. | 470,081 | 107,372 | 163,436 | 83,532 | 404,912 | 33,592 | 1,595,569½ | 68,643 | 2,927,137½ |

STATEMENT A.

GREAT WESTERN RAILWAY.

AUDIT OFFICE.

A STATEMENT shewing the number of Passengers conveyed monthly from January to July, inclusive, 1851.

| Going Eastward. | | | | Going Westward. | | | | |
|-----------------|-----------------------|----------|--------|-----------------|-----------------------|------------|----------|--------|
| Month Ending. | Number of Passengers. | | | Month Ending. | Number of Passengers. | | | |
| | Local. | Foreign. | Total. | | Local. | Emigrants. | Foreign. | Total. |
| January 31 | 12325 | 631 | 12956 | January 31 | 15237 | | 828½ | 16065½ |
| February 28 | 7093 | 1217½ | 8340½ | February 28 | 8359 | | 3114½ | 11473 |
| March 31 | 9067 | 1694 | 10761 | March 31 | 9884½ | 757 | 5796 | 16437½ |
| April 30 | 9493½ | 1672 | 11165½ | April 30 | 10341½ | 2983 | 5331½ | 18656 |
| May 31 | 12833 | 2213½ | 15046½ | May 31 | 13695 | 2395 | 6189 | 22279 |
| June 30 | 12556 | 3870½ | 16426½ | June 30 | 13531 | 4891½ | 3970 | 22392½ |
| July 31 | 10476½ | 2605 | 13081½ | July 31 | 10299½ | 2442½ | 3135½ | 15877½ |
| Totals..... | 73844 | 13903½ | 87747½ | Totals.... | 81347½ | 13469 | 28265 | 123181 |

STATEMENT B.
 GREAT WESTERN RAILWAY.

AUDIT OFFICE.

STATEMENT OF MONTHLY TRAFFIC FROM JANUARY TO JULY, 1854.

| DATES. | Passenger Traffic. | | | | | | Sundries. | | | Total. | | |
|------------|------------------------------------|--|----------------------------------|---------------------------------------|-----------------------------------|--|-------------------------------------|--------------------------------------|---------------------------------------|--|-------------------------|-------------|
| | Local. | | Foreign. | | Emigrants. | | Mails & Express Freight | | Excess Luggage & Dogs. | | Freight and Live Stock. | |
| | No. | Amount £ s d. | No. | Amount. £ s d. | No. | Amount. £ s d. | Amount. £ s d. | Amount. £ s d. | | | | |
| January.. | 27562 | 9331 10 1 ³ / ₄ | 1459 ¹ / ₂ | 2073 10 0 | 29021 ¹ / ₂ | 11405 0 1 ³ / ₄ | 413 3 3 ¹ / ₂ | 208 16 6 ¹ / ₂ | 1939 4 9 ¹ / ₂ | 12490 14 9 ¹ / ₄ | | |
| February. | 15452 | 5685 18 9 | 4332 | 6088 2 6 | 19784 | 11774 1 3 | 511 2 6 | 149 12 3 | 6236 19 4 | 20147 5 4 | | |
| March .. | 18951 ¹ / ₂ | 7049 14 2 ³ / ₄ | 7490 | 10611 15 2 | 27198 ¹ / ₂ | 18090 7 1 ³ / ₄ | 551 0 0 | 180 3 11 ¹ / ₂ | 5151 1 5 | 23972 12 6 ¹ / ₄ | | |
| April..... | 19835 | 7378 0 11 | 7003 ¹ / ₂ | 9321 2 10 | 29831 ¹ / ₂ | 18640 19 7 ¹ / ₂ | 936 5 5 | 150 6 11 ¹ / ₂ | 7007 10 7 ¹ / ₂ | 26735 2 7 ¹ / ₂ | | |
| May..... | 26528 | 9508 6 9 ¹ / ₂ | 8402 ¹ / ₂ | 8769 11 7 | 37325 ¹ / ₂ | 19468 13 1 ¹ / ₂ | 1088 16 3 | 143 7 6 | 4292 16 8 | 24973 13 6 ¹ / ₂ | | |
| June..... | 26087 | 9528 1 5 ¹ / ₂ | 7840 | 8025 9 4 ¹ / ₂ | 36818 ¹ / ₂ | 19681 15 10 | 1038 17 6 | 280 0 5 | 2376 9 10 | 24377 3 7 | | |
| July..... | 20776 | 7022 5 5 | 5740 ¹ / ₂ | 4824 13 1 ¹ / ₂ | 28959 | 12841 18 9 ¹ / ₂ | 998 8 9 | 130 16 6 | 3214 15 3 | 17408 19 3 ¹ / ₂ | | |
| Total..... | 155191 ¹ / ₂ | 55503 17 8 ¹ / ₂ | 42268 | 49717 4 7 | 13469 | 6684 13 7 ¹ / ₂ | 210928 ¹ / ₂ | 111905 15 11 | 5537 13 8 ¹ / ₂ | 1243 4 1 ¹ / ₂ | 31418 17 11 | 150105 11 8 |

STATEMENT C.
GREAT WESTERN RAILWAY—AUDIT OFFICE.

STATISTICAL STATEMENT OF FREIGHT TRAFFIC, showing the quantities conveyed from 1st January to the 31st July, inclusive.

| Tons of Merchandize. | | | | | | | | | | | | | Feet of Lumber. | |
|-------------------------|-----------------------------------|------------------------------------|-----------------------------------|----------------------------|--------------------------|---------------------------|---------------------|---------------------|----------------------------|------------------------------------|--------------------------|-------------------|--------------------|-----------|
| Dry Goods. | Hardware, & Machinery & Castings. | Earthenware, Glassware & Crockery. | Heavy Metals in bulk. | Stones, Slates and Bricks. | Woollen Yarn and Cotton. | Hides, Skins and Leather. | General Groceries. | Pork in the Hog. | Vegetables & Green Fruits. | Ale and Beer in Bottles and Casks. | Drugs, Paints, Oils, &c. | Furniture. | | Sundries. |
| 2878 $\frac{1}{4}$ | 2241 | 302 $\frac{1}{8}$ | 1227 $\frac{1}{4}$ | 351 $\frac{1}{8}$ | 138 $\frac{1}{8}$ | 453 $\frac{1}{4}$ | 2306 $\frac{1}{3}$ | 988 $\frac{1}{8}$ | 141 $\frac{1}{3}$ | 111 $\frac{1}{4}$ | 446 $\frac{1}{4}$ | 1178 | 1179 $\frac{1}{8}$ | 2557000 |
| Barrels of Merchandize. | | | | | | Bags of Merchandize. | | | | Bushels of Merchandize. | | | | |
| Flour. | Oatmeal, Pot & Pearl Barley. | Popk. | Whiskey, High Wines, and Alcohol. | Salt. | Pot Pearl and Soda Ash. | Plaster of Paris. | Wheat and Corn. | Oats. | Barley & Rye. | Peas & Beans. | Flour & Meal. | Bran and Pollard. | Grain. | Potatoes. |
| 53674 | 221 | 565 | 5114 | 2311 | 1814 | 7711 | 30946 $\frac{1}{2}$ | 23136 $\frac{1}{2}$ | 3490 | 7469 $\frac{1}{2}$ | 1432 | 1699 | 34714 | 3411 |

STATEMENT D.

GREAT WESTERN RAILWAY.—AUDIT OFFICE.

STATEMENT OF PASSENGER AND FREIGHT TRAFFIC at each Station to the 31st July, 1854.

| Stations. | Passengers. | | | Sundries by Passenger Trains | | | Freight & Live Stock. | | | Total Traffic. | | | | | |
|------------------------|----------------------|---------|----|------------------------------|------|-----|-----------------------|------------------|---------------------|-----------------|---------|------------------|--------|----|------------------|
| | No. | Amount. | | £ | s. | d. | £ | s. | d. | Tons of freight | Amount. | | £ | s. | d. |
| Niagara Falls..... | 53413 | 400 | 25 | 7 | 0 | 501 | 18 | 2 $\frac{1}{2}$ | 5110 $\frac{1}{4}$ | 9755 | 3 | 6 $\frac{1}{2}$ | 50282 | 8 | 9 |
| Thorold | 1932 | 330 | 16 | 0 $\frac{3}{4}$ | 3 | 10 | 1 | 10 $\frac{1}{2}$ | 194 $\frac{1}{2}$ | 123 | 12 | 4 | 514 | 10 | 3 $\frac{1}{4}$ |
| St. Catherines..... | 9733 | 2417 | 10 | 5 $\frac{1}{2}$ | 3 | 30 | 14 | 5 | 483 $\frac{1}{8}$ | 380 | 11 | 4 | 2828 | 16 | 2 $\frac{1}{2}$ |
| Beamsville | 2718 $\frac{1}{2}$ | 434 | 0 | 0 | 0 | 3 | 8 | 7 | 45 | 34 | 6 | 10 | 471 | 15 | 5 $\frac{1}{4}$ |
| Grimsby | 3696 $\frac{1}{2}$ | 573 | 6 | 11 $\frac{1}{2}$ | 3 | 9 | 9 | 4 $\frac{1}{2}$ | 132 | 107 | 6 | 6 | 690 | 2 | 10 |
| Stoney Creek..... | 1129 | 149 | 6 | 4 $\frac{1}{2}$ | 2 | 0 | 9 | 2 | 21 $\frac{1}{2}$ | 1 | 12 | 11 | 151 | 8 | 5 $\frac{1}{4}$ |
| Hamilton | 39567 | 14645 | 11 | 7 $\frac{1}{4}$ | 3 | 233 | 11 | 8 $\frac{1}{2}$ | 6005 $\frac{3}{4}$ | 7649 | 0 | 3 $\frac{1}{2}$ | 22533 | 3 | 7 $\frac{1}{4}$ |
| Dundas..... | 3683 | 665 | 3 | 2 $\frac{1}{2}$ | 3 | 14 | 10 | 3 | 544 $\frac{1}{2}$ | 355 | 15 | 1 | 1035 | 8 | 6 $\frac{1}{2}$ |
| Flamboro'..... | 478 $\frac{1}{2}$ | 69 | 4 | 11 | 1 | 2 | 2 | 0 | 468 | 121 | 14 | 4 | 193 | 1 | 3 |
| Paris..... | 12419 $\frac{1}{2}$ | 4358 | 16 | 6 | 6 | 29 | 6 | 1 | 4063 $\frac{1}{4}$ | 2412 | 9 | 0 | 6800 | 11 | 7 |
| Princeton | 2246 | 431 | 6 | 1 $\frac{3}{4}$ | 3 | 1 | 1 | 0 | 365 $\frac{1}{2}$ | 205 | 3 | 9 | 637 | 10 | 10 $\frac{1}{2}$ |
| Woodstock..... | 9345 $\frac{1}{2}$ | 2468 | 19 | 7 $\frac{1}{4}$ | 3 | 7 | 4 | 9 $\frac{1}{2}$ | 1466 | 982 | 2 | 3 | 3458 | 6 | 8 $\frac{1}{4}$ |
| Beachville..... | 1537 | 231 | 2 | 10 $\frac{1}{2}$ | 3 | 1 | 1 | 0 | 755 $\frac{1}{4}$ | 551 | 15 | 0 | 783 | 18 | 10 $\frac{1}{2}$ |
| Ingersoll..... | 7117 | 1847 | 2 | 0 | 7 | 7 | 7 | 4 | 2313 $\frac{1}{2}$ | 1239 | 5 | 3 $\frac{1}{2}$ | 3093 | 14 | 8 |
| London..... | 21077 $\frac{1}{2}$ | 9033 | 7 | 4 | 110 | 16 | 11 $\frac{1}{2}$ | 11 | 2141 $\frac{1}{2}$ | 2435 | 12 | 10 $\frac{1}{2}$ | 11629 | 17 | 2 $\frac{1}{4}$ |
| Lobo..... | 1619 | 1076 | 5 | 4 $\frac{1}{2}$ | 4 | 0 | 6 | 3 | 201 $\frac{1}{2}$ | 297 | 18 | 0 | 1374 | 9 | 7 $\frac{1}{2}$ |
| Ekfrid..... | 965 | 219 | 11 | 6 | 1 | 0 | 9 | 9 | 18 $\frac{1}{8}$ | 27 | 10 | 4 | 248 | 2 | 7 |
| Wardsville..... | 2918 $\frac{1}{2}$ | 422 | 17 | 0 $\frac{1}{4}$ | 1 | 7 | 16 | 7 | 41 $\frac{1}{2}$ | 8 | 16 | 3 | 439 | 9 | 10 $\frac{1}{4}$ |
| Chatham..... | 5676 | 2839 | 4 | 2 $\frac{1}{4}$ | 4 | 11 | 19 | 6 | 346 $\frac{3}{4}$ | 426 | 8 | 11 | 3327 | 12 | 7 $\frac{1}{4}$ |
| Windsor..... | 29656 $\frac{1}{2}$ | 29516 | 16 | 7 | 253 | 18 | 3 $\frac{1}{2}$ | 3 | 2920 $\frac{1}{4}$ | 4302 | 13 | 1 | 34073 | 7 | 11 $\frac{1}{4}$ |
| Mail & Express freight | | | | | | | | | | | | | 5537 | 13 | 8 $\frac{1}{4}$ |
| | 210928 $\frac{1}{2}$ | 111905 | 15 | 11 | 1243 | 4 | 1 $\frac{1}{2}$ | 1 $\frac{1}{2}$ | 27612 $\frac{1}{8}$ | 31418 | 17 | 11 | 150105 | 11 | 8 |

Connections made at the Suspension Bridge, Niagara Falls.

CONNECTIONS GOING EAST.

| | |
|-----------------|--------|
| June | 40—12 |
| July..... | 47— 5 |
| August..... | 52— 0 |
| September | 40—12 |
| October..... | 39—20 |
| November..... | 35—15 |
| | 253—64 |
| | 64 |
| | 317 |

During the latter part of June and beginning of July the break at Desjardins Canal trestle took place.

Testimonials given in by Mr. Brydges.

COPIES OF TESTIMONIALS GIVEN TO MR. CHARLES JOHN BRYDGES.

London & South Western Railway,
Secretary's Office, York Road,
9th October, 1852.

My Dear Sir,

I am informed that Mr. Brydges, my principal Assistant in this establishment, is applying for an important appointment connected with the Madras Railway Company.

It will be most inconvenient to me to lose so thoroughly able an Assistant, but I am bound to state what I think of him.

He is, I think, the most efficient man I have ever met with in a Railway Office, of excellent temper and manners, of high principle, of regular business habits, of very superior intelligence and of large and sound views on all subjects submitted to his judgment, a safe and able correspondent, and as a negotiator (in which capacity he has been frequently sent by us on missions) most discreet and acute as regards the interests of those for whom he is acting.

In this Office, which I have only held for three years, but in which he has been ten years, he had the best opportunities of knowing all that is to be known of the business which attaches itself to the management of a great Railway Company.

Lately in addition to the ordinary duties of Secretary, I have been compelled to act as General Manager to this line, 242 miles long. Mr. Brydges has had consequently to do both with indoor and outdoor department, and is thoroughly informed as to both principles and details of every branch of the official business of a Railway in the various departments into which that business is divided.

His manners are those of a gentleman and a man of business, and in proof of this I may say that no person (of any class) has ever made a single complaint to me of his manner, although he must have given answers in this Office to at least a hundred persons on many days.

In this establishment he has succeeded in gaining the confidence, not only of his immediate superiors, but of all the Directors and Officers of the Company; and, in brief, I do not know of another man so entirely to be trusted, as regards experience, capacity and integrity, in the arduous post he has applied to fill.

I am, Dear Sir,

Faithfully yours,

WYNDHAM HARDING, Secretary.

J. M. Rendel, Esq.

Secretary's Office, York Road,
8th October, 1852.

Dear Sir,

I have this moment received your communication intimating to me your intention of becoming a Candidate for the Office of Manager and Agent of the Madras Railway Company.

As a Director of this Railway, I shall sincerely regret if the Company should lose the services of one who during ten years has obtained so much experience in railway matters, and who had become one of the most valuable ex-officers in the Company's service.

Since you desire from me a testimonial on your behalf, I have much pleasure in saying that I think any company must be fortunate which secured your services in the situation you allude to.

You have been employed frequently in the most confidential manner in the most difficult and delicate matters, and you have by your general conduct on all occasions acquitted yourself to the satisfaction of the board, by your great talents and courtesy, and have shewn that you possessed ability and knowledge of detail in Railway business of every description, united to honesty of every kind.

Wishing you success heartily,

I remain, my dear Sir,

Your very faithfully,

FRANCIS SCOTT.

C. J. Brydges, Esquire.

SECRETARY'S OFFICE, YORK ROAD, OCT. 8th, 1852.

My dear Sir,

I hear that you are a candidate for the Secretaryship of the Madras Railway Company. I have much pleasure in bearing my testimony to the most efficient way, and to the general satisfaction you have given upon all occasions during the time you have been employed at the South Western Railway, not only to the Board, but when you acted as Secretary to several Committees of Shareholders on very intricate and confidential matters.

I have no hesitation in saying that any Company would be most fortunate in securing your services, from your great knowledge of business and from your conciliating manner.

I should much regret your leaving this Company, and I am sure that the Shareholders, to all of whom you are so well known, would share in this feeling, knowing your great ability and integrity.

I am most truly yours,

JOHN HIBBERT, Junr.

Chs. J. Brydges, Esquire.

32, GLOUCESTER SQUARE,

HYDE PARK, October 8th, 1852.

Gentlemen,

I am informed by Mr. Chas. J. Brydges, that he is a Candidate for the appointment of your Agent in Madras, and he has requested me to convey to you my opinion of his qualifications for an office of such great importance.

From having had the opportunity of knowing Mr. Brydges for some years, I have no hesitation in stating that his ability, judgment, prudence and unwearied industry, would render his services of great value in any position whatever, and these qualities combined with his knowledge of Railways would appear peculiarly to fit him for the office which he seeks.

I may add that I regret that there is any prospect of his services being lost to the South Western Railway Company, and had it not been inconsistent with my duty as a Director of that Company, I should some time ago have recommended him to a situation of considerable trust and importance elsewhere.

I am, Gentlemen,

Your Obedient Servant,

THOMAS SMITH.

The Directors of the Madras Railway
Company, London.

CORNHILL, October, 8.

Dear Sir,

I am personally very sorry to hear that you have made application for the situation of Secretary to the Madras Railway, as I had you in my eye for the very first confidential appointment that I might have. However, I cannot do otherwise than recommend you to accept it, as it may be a very long time before I shall have anything worthy of your acceptance.

I consider you in every way perfectly qualified for the situation you mention, as I had a very good opportunity of judging of your abilities and talents during the time that I presided over a Committee of Shareholders, and I well remember your assistance in preparing the Report was most valuable.

I remain, Dear Sir,

Truly yours,

HENRY CURRIE.

17 $\frac{1}{2}$ GREAT GEORGE STREET,
WESTMINSTER, 9th Oct., 1852.

Mr. C. J. Brydges having requested a testimonial from me in aid of his candidature for the office of Manager and Agent of the Madras Railway Company in India, I have pleasure in stating that I have known Mr. Brydges for several years in his capacity as Assistant Secretary to the London and South Western Railway Company.

Having myself constructed as Chief Engineer a considerable portion of the South Western Railway, and having been (up to the present time) engaged in negotiations and arrangements of much importance to that Company's interests, I have had opportunities of observing that Mr. Brydges possesses a cool and sound judgment, discrimination and ability, which render him a most valuable officer of the Company he now serves.

His ready tact and attention to the welfare of the working men of the large establishment where he has been placed are well known, and his experience in all the details of Railways management which come under review of the Secretary's Office, is unquestionably great, and well adapted to fit him for the post in question.

W. S. MORSOM.

C. J. Brydges, Esq., Assistant Secy.,
S. W. R. York Road Offices.

11 ADAM STREET, ADELPHI,
October 9th, 1852.

I have known Mr. C. J. Brydges, in his position as Assistant Secretary during a very long period, about ten years, and I have necessarily had much business relation with him.

I can bear testimony of his excellent business habits, his great application and industry, his quickness and skill in the performance of his duties; and I feel sure that he will give satisfaction in filling any post in which his talents may be required. Having, on many occasions, had reason to appreciate his qualities as a Railway Secretary, I have the greater pleasure in giving him this testimonial.

JOSEPH LOCKE.

1, DELAHAY ST., WESTR.,
9th October, 1852.

MY DEAR SIR,—If I am right in my apprehension of the duties that will devolve on the Manager of the Madras Railway, viz., to conduct the negotiations that may arise during its construction, and hereafter to become its resident and General Manager abroad, I can safely say that I know of no one more fitted to fill that place by natural ability and zeal than yourself, and none who has been in better training for the office.

During the long illness of my friend the late Secretary of the South Western Railway, I had daily opportunities of seeing that on you devolved many of the most delicate and difficult duties of the office, and I shall ever esteem most highly the ready and effectual service that you then rendered to him and to the Company.

My then position as the Resident Engineer of the Company enabled me to appreciate the extent of your services, and I shall be at all times ready in any and every way to attest them.

I am, my dear Sir,

Yours very truly,

ALBINUS MARTIN.

C. J. BRYDGES, Esq.

NATIONAL LIFE ASSURANCE SOCIETY,
2, King William St., London,
October 9, 1852.

GENTLEMEN,—I beg to offer you my testimony as to the character and qualifications of Mr. C. J. Brydges, who is a Candidate for the office of Manager of your Railway at Madras.

I have been personally acquainted with Mr. Brydges for about six years, during which period, and for four years previously, he has held situations in the service of the London and South Western Railway Co.

He commenced his career in the Transfer and Audit departments of that Company's offices, and has passed on to the situation of Assistant Secretary, which situation he now fills with, I think, every reason, from the estimation in which he is held by the Directors, to expect a rise in his position.

Of his personal character, temper and bearing, I can speak in the highest terms; and from his long experience in connexion with the working of a Railway, I consider him well qualified to take the management of the establishment of a Railway, and to conduct all the arrangements for the development of its traffic, as well as to perform the duties of the Secretariat, in correspondence with the Government at Madras, and with yourselves at home.

In offering my humble testimony to you in Mr. Brydges' favor, I may remark that though he will in one respect be deficient, viz., in local knowledge, I think, from the fact of his age being only 26, he will soon acquire that knowledge which by the time your Railway is in actual operation will more fully qualify him for the application of his English experience to the peculiar circumstances of an Indian Line, and if selected by you for this important post, I trust he may gradually be found as capable of dealing with matters in India as from my personal knowledge I have found him to be in this country.

I am, Gentlemen,

Your most obedt. servant,

ALEXANDER BEATTIE.

To the Directors of the Madras Railway.

TREASURER'S OFFICE, YORK ROAD,
Oct. 8, 1852.

MY DEAR SIR,—Understanding that you are a Candidate for the appointment of Agent to the Madras Railway Co. in India, I sincerely trust that you will be successful.

Having known you for so many years, both in the Secretary's and other departments of the London and South Western Railway Company, and entertaining the highest possible sense of your character and integrity, I feel sure that these qualifications, combined with your experience in Railway management, render you fully competent to undertake the general official business of any like undertaking.

With best wishes that you may succeed in your present application.

I am,

Yours very truly,

A. MORGAN,

Treasurer of the London and South Western Railway.

C. J. BRYDGES, Esq.

SOUTH WESTERN OFFICES,
York Road, Oct. 9, 1852.

GENTLEMEN,—Understanding that Mr. Brydges is a Candidate for the situation of Manager in your Railway, I have great pleasure in bearing testimony to the great zeal as well as temper and judgment which he has shewn on every occasion in which his conduct has come under my notice, and, as Auditor of the South Western Railway Co. for the last five years, I have had almost daily opportunities of coming into daily communication with him in the confidential position which he holds in the Secretary's Office.

I consider that Mr. Brydges' qualifications in every respect are such as cannot fail to make him a most valuable officer to any Railway or other public Company that may avail of his services.

I have the honor to be,

Gentlemen,

Your very obdt. servant,

ALEX. HOYES.

The Chairman and Directors of the
Madras Railway Company.

8th October, 1852.

MY DEAR SIR,—I have much pleasure in acceding to your request that I should give my testimony as to your qualifications for the appointment of Agent in India to the Madras Railway Company.

From the number of years that I have now been in connexion with this Company, during which I have had the opportunity of constant intercourse with you, I can conscientiously say that you are highly qualified for such an appointment.

While engaged in the numerous and complicated concerns of the Company you have unvariably shewn great energy and exact habits of business attended as they always have been by a gentlemanly and quiet demeanour.

Your long experience in the conduct of the business of a Railway Board cannot fail to be valuable and I shall be glad to hear that your application has been successful.

Your's most truly,

L. CROMBIE,

LONDON AND ADAM ST., ADELPHI, OCT. 9, 1852.

To the Directors of
The Madras Company.

Gentlemen,

I learn from Mr. Brydges that he is a candidate for the situation of Manager for your Railway.

I have known him personally for the last ten years, as the Assistant Secretary of the South Western Company, and I have every reason to believe that in Mr. Brydges you will secure a most valuable officer, and with the experience he has had with the South Western Company, eminently qualified for the management of a Railway enterprize.

I am, Gentlemen,
Your most Obedient Servant,
THOMAS BRASSEY.

C. J. BRYDGES, ESQR.,

MY DEAR SIR,—I have just heard you are applying for an appointment on the Madras Railway, and whilst I should very much regret your retirement from the service of this Company, I cannot but do justice to my feelings in assuring you I would be delighted to hear of your success, and if my humble testimony could be in any way instrumental of your promotion, I shall feel great pleasure in expressing my high opinion of your capacity to discharge the duties of the appointment you now seek. Permit me therefore to state, I have many years since formed a very favorable impression of your varied capacity, having had such frequent evidence of the good sound judgment and discretion you evinced at all times in conducting the various matters connected with the Committees entrusted to your care, your talent in correspondence and great capacity in figures and accounts contributed in high degree for discharging the duties devolved on you, and raised you highly in the estimation of all who have had the opportunity of witnessing your great ability, and believe me in none more than in my own, and so fully was I impressed with your talents that you must remember I made a special request that our Directors would appoint you to the control and management of the accounts and details in connexion with the working of these two Departments at the time I was appointed to superintend their working now nearly three years ago, and regretted much I was unfortunate in procuring your valuable assistance.

In conclusion, permit me to state that nothing but the prospect of great advancement would induce me to advise you to relinquish the service of this Company, where you are so truly valued by all for your kind feeling, goodness of heart, high moral, worth and ability.

I am, my dear Sir,
Yours faithfully,
JOSEPH BEATTIE.

PARLIAMENT STREET,
9th October, 1852.

DEAR SIR,—I have been requested by my friend Mr. Brydges, whom I have for the last ten years had the pleasure of meeting and of transacting business with

in the Secretary's Office of the South Western Railway, to state my opinion of his qualifications to any gentleman with whom I might be acquainted in the Madras Railway Direction or Staff.

I am not known to any of the managers of that line, but observing your name as solicitor of the undertaking, I venture to address you and to state that in my judgment Mr. Brydges is a man whose services any Railway Company would be fortunate in securing.

He has good natural abilities and is remarkably discreet, zealous and ready in the use of them. A patient worker with good business habits, I think him well qualified to fill the post of Secretary to any Railway Company. In his present position he has been largely trusted, and on this experience I am sure I am right in saying that he would be trusted to any extent by his present employers.

He has the undivided respect of them, and of his brother officers, and his removal will be a subject of great regret, although of course all will be gratified in knowing that his prospects in life are advanced.

I am, dear Sir,
Yours faithfully,

F. T. BIRCHAM.

JAMES FRESHFIELD, Junr. Esq.

17 ST. HELENS PLACE,
9th October, 1852.

MY DEAR SIR,—I regret I was not at home when you called, but in reply to your note I beg to say that I am most happy to bear my sincere testimony to your peculiar qualifications for the office you are seeking in the service of the Madras Railway. I should very greatly regret any cause that removes you from the service of the South Western Railway Company where you are so creditably and usefully occupied, but I am bound to say that I consider the experience you have had in that service fully adapts you for the successful performance of similar duties in a foreign country.

I am, my dear Sir,
Your very truly,

WILLIAM TITE.

C. J. BRYDGES, Esq.
&c. &c.

SUPERINTENDENT'S OFFICE, WATERLOO STATION,
October, 9th 1852.

MY DEAR SIR,—Hearing that you are a candidate for appointment to the management of the Madras Railway, I am desirous of expressing, most heartily, my best wishes for your success.

Associated as I have been with you during a period of ten years, and knowing as I do your qualifications to the engagement you seek, qualifications derived from an untiring zeal, the exercise of exemplary discretion and of sound practical knowledge, which have marked your career with this Company, and placed you in a most important and honorable position, I have no hesitation in saying few men are to be found who possess a more thorough knowledge of Railway management.

In offering you this testimony of your ability, I am sure I express not only my own feelings but those of every officer of this establishment, when I say your withdrawal under any other circumstances than for your own permanent good would be to all a matter of the deepest regret.

Believe me, my dear Sir,

Yours very faithfully,

WILLIAM F. GODSON.

C. J. BRYDGES, Esq.

Extract from the proceedings of the Court of Directors of the London and South Western Railway.

YORK ROAD STATION.

19th November, 1852.

MR. BRYDGES.

The Directors desire to express to Mr. Brydges, on his quitting the service of the South Western Railway Co., their warm approbation of his long, faithful and able services—their regret at his quitting the Company—their hope that he may be equally successful in rendering efficient services to the Co. by whom he is engaged—together with their belief that he will be equally fortunate in securing the esteem and good will of all with whom he is connected.

(Signed,) ARCH. BUCKLEY,
Secretary.

(Copy.)

COLEMAN STREET,

6th November, 1852.

DEAR SIR,—I have been consulted by Mr. Harris and Mr. Buchanan, the representatives in this country of the Great Western Railway of Canada, with respect to a request from a deputation of the South Western Railway Company to them, that they should release Mr. Brydges from the engagement into which he has entered with them as their General Manager, and I am directed to inform you that, after consultation with the gentlemen with whom they have been acting, they do not consider they should be performing the trust reposed in them by acquiescing in such request.

I am, dear Sir,

Yours truly,

(Signed,)

THOS. TILSON,
Solicitor to the Company.

Mr. SEYR. GASELEE,

2, Cambridge Square, Hyde Park.

(Copy.)

2, CAMBRIDGE SQUARE,

November 6th, 1854.

DEAR SIR,—I have been favored with your note, a copy of which, as our Board does not meet until Friday, I will direct to be sent to each of our Directors.

In the meantime I cannot but individually express my great regret and surprise that, under all the circumstances of the case, your Directors should have felt it inconsistent with their duty to the Company to have instantly released Mr. Brydges.

I am, dear Sir,
Yours faithfully,

S. GASELEE.

THOS. TILSON, Esq.

(Copy.)

2, CAMBRIDGE SQUARE,
Saturday evening, $\frac{1}{2}$ past 6.

DEAR SIR,—I regret to say that I have just received a most unsatisfactory letter from Mr. Tilson, Solicitor to the Company, declining to dispense with your services.

Without, in the hurry of the moment, expressing what I think as to this result, I cannot forbear expressing, in *the strongest possible terms*, my unfeigned regret at the almost certainty of losing the services of one who is so essential to the best interests of our Company.

I am, dear Sir,
Yours very faithfully,

S. GASELEE.

C. J. BRYDGES, Esq.

(Copy.)

SECRETARY'S OFFICE,
York Road, 6th Nov., 1852.

DEAR SIR,—I think it right to send you a copy of the letter which I addressed to the Chairman of this Co. immediately after I left you yesterday. I do so in order to place beyond all doubt the perfectly bona-fide nature of the communications I have had with you, and I will only add, that I have in this matter placed myself entirely in the hands of yourself and your friends, and the Directors of this Co., who I understand yesterday afternoon sought an interview with you.

I am, dear Sir,
Yours faithfully,
(Signed,) C. J. BRYDGES.

PETER BUCHANAN, Esq.

(Copy.)

THE GREAT WESTERN RAILWAY OF CANADA.

29, AUSTIN FRIARS,
London, 6th Nov., 1852.

DEAR SIR,—I am in receipt of your note of this date handing me copy of your letter to the Chairman of your Board conveying to him your resignation.

It is exactly what I expected, and fully expresses what I believe you feel, upon the occasion of your separating your interests from the South Western Railway.

I am extremely glad that you have not asked to be released from your engagement with the Great Western of Canada; and I am this moment enabled to transmit you copy of Mr. Tilson's letter to Mr. Gaselee (see No. 1), which will relieve you from any further delicacy of feeling as respects your Directors.

I shall be glad if you spend half an hour with me on Monday, between one and two o'clock, if it suits your convenience. If busy on Monday, it will suit me equally well on Tuesday.

Yours very truly,
(Signed,) PETER BUCHANAN.

C. J. BRYDGES, Esq.

To be added to No. 2.

705. After "Company" add, "a watchman was not employed specially by the Company, for the reason that it was thought, to do so, would be to weaken the vigilance by taking away the responsibility of the Conductor; the latter is a man of superior intelligence paid a high rate of wages, and it is always considered that it is the proper way to leave the conductor responsible for not ruining his train contrary to the regulations of the Company, giving him, as in the present case, full authority to employ such men as he may need to enable him to carry out his instructions. The perfect responsibility of Conductors is a recognized will amongst Railways on this continent. It was understood by the Company that the man employed to clean and prepare the Engine during the night was instructed by the Conductors to watch for and report when necessary the passage of trains. He was looked upon as the best person to employ on this duty, as if he failed to keep awake that fact would be known in the morning from his work having been properly performed; whereas a man required to set up all night, with nothing to do but watch for the passing of one or two trains, would be much more likely, 5 times out of six, to fall asleep. The plan understood to be adopted here was in operation in other gravel pits, and at Lobo pit particularly the cleaner and watchman has on several occasions stopped the gravel train from going out in the morning by reporting that regular trains had not passed.

It is not the practice in England for the Company to assume any control of the movements of trains run by contractors on the main line. The Company supply the contractors with rules for the running of the gravel or construction trains, and they do not appoint either conductors, engine drivers and watchmen. In proof of this statement I produce copy of a letter from a gentleman now in this country engaged upon Railways on the Ottawa, who had a contract for 10 years in the London and North Western Railway in England."

HAMILTON, Nov. 7, 1854.

MY DEAR SIR,—In reply to your letter of the 6th instant, I beg to say that I had a contract with the London and North Western Railway Company, for the supply of Locomotive power and labour for the haulage of materials necessary for the repairs of their existing works, or for the formation of new works. This contract included the ballasting of the line, which you may remember was relaid or renewed thrice, consequently the number of ballast trains was considerable, never less than two and frequently increasing to seven per day.

These trains were entirely under my own control, and no servant of the Company, from the Superintendent to the Porters, had any authority to interfere with, or in any way to direct any people in the performance of their duties, so long as they complied with the ordinary rules and regulations of the trains.

To each of the ballast trains I appointed a ballast clerk, who was provided with a copy of the Company's rules and with a time-table of the regular trains. His duties were to keep a way bill, to go back six hundred yards in the rear of the train when standing on the main line, and there to exhibit a red signal, a flag by day and a lamp by night, also (being provided with a chronometer) to take care that the ballast train was in a siding fifteen minutes before the time that any regular train was due at the spot, and in no account to allow the ballast train to come out of the siding until the regular train had passed.

These were the only regulations specially formed by the Company, for the working of the ballast trains, and as there were as many as 84 regular trains during the twenty-four hours it was necessary that they should be regularly enforced, especially as the greatest amount of ballasting was done during the night after the last mail had passed.

You ask me whether the Company placed watchmen at every siding to warn my men as to when they might or might not come out? I assure you the Company took upon themselves not the slightest responsibility as regarded my contract; I suppose they considered I had a sufficient regard for my own interests to use every precaution against accident, and they were justified in the result, since during a period of nine years no accident happened inflicting injury to a passenger from the working of the ballast trains.

I believe I have fully replied to your questions, but should you now require any further information on any point, I beg you will not hesitate to apply to me.

I am my dear Sir,

Faithfully your's,

Signed,

RICHARD MADIGAN.

C. J. BRYDGES, Esqr.,
Great Western Railway.

P. S.—Direct to me either to the Montreal and Bytown Railway Office, or to the Brockville and Ottawa Railway Office.

Return of Staff, Hamilton, 9th December, 1854.

GREAT WESTERN RAILWAY.

Return shewing the length of time that the existing staff have been in Canada, the number brought out by the Company :

1st. No. brought out by the Company.

| | |
|--------------------------------------|----|
| Head officers,..... | 8 |
| At Stations on the Line,.... | 12 |
| Conductors and others on Trains..... | 0 |

Total..... 20

2nd. Station, Masters and others employed at Stations.

| | |
|-------------------------------------|----|
| Born in Canada,..... | 13 |
| Lived in Canada over 20 years,..... | 12 |
| “ “ from 10 to 20 years,..... | 31 |
| “ “ from 3 to 10 “ | 79 |
| under 3 “ | 77 |

N. B.—Of the 77 who have lived in Canada less than three years, a large number were in the country previous to the opening of the Railway, 12 only of them were brought out by the Company, some came out from Railways in the old country, without the knowledge of the Company or its officers, and upon making application for employment, were, upon being found suitable, taken on.

Conductors Baggage on Trains :

| | |
|---|----|
| Born in Canada,..... | 9 |
| Born in the United States,..... | 17 |
| Lived in Canada two years and upwards,..... | 27 |
| Lived in Canada less than two years..... | 16 |

None of the above were brought out by the Company.

I have furnished a separate list of Engine Drivers, of whom not more than 5 were brought out by the Company from England. There is, in addition to the foregoing, a large staff of mechanics employed at the different workshops, and are, generally speaking, a different class of men to any previously in the country ; of these, about 25 have been brought out by the Company, and most of the remainder have been men who have been taken on as ordinary workmen, and gradually trained for the duties they now fulfil.

C. J. BRYDGES.

Letter from Alexander Macfarlane, Station Master Wardsville.

(Copy.)

WARDSVILLE STATION.

11th November, 1854.

C. J. BRYDGES, Esq.

SIR,—I know that when I see you that I will be scarce able to give you an answer to any questions you may put to me, I therefore take this method of making my explanation.

I was as usual at the baggage car when Mr. Muir came to me ; and talking about many things, he asked me where was the freight train ; I said they were to pass at Thamesville ; he said that was all right, but I now see when too late that I was decidedly wrong, because I should have communicated conductor instead of Mr. Muir.

I cannot throw the blame off myself, it was the conductor alone that I had to do with, and I shall bow submissively to whatever decision you may come to whether by dismissal or otherwise, and will ever keep in grateful remembrance kindnesses received from yourself as well as from other officers of the Company.

I remain, Sir,

Very respectfully,
Your obedient servant,

(Signed,) ALEX. MACFARLANE.

(Copy.)

10th November, 1854.

Wardsville to Smith.

I will inform conductor of lightning express the freight train will be at Thamesville.

McFARLANE.

(Copy.)

CHATHAM STATION.

10th November 1854.

Chatham to McFarlane.

Freight going east is here and will shunt at Thamesville for the lightning express going west.

—Answer—

J. SMITH.

WARDSVILLE STATION.

November, 14th.

C. J. BRYDGES, Esq.

SIR,—I am in receipt of your letter of yesterday's date, and I do sincerely regret the cause thereof.

I acknowledge myself entirely to blame in that unfortunate collision, because it was the conductor alone I had to do with, and none else. I shall give M. Minty every assistance in my power. I acknowledge my fault and throw myself entirely upon the leniency of the court of Directors, and if in their power to reinstate me to my former position of Station Master at Wardsville, I shall use every exertion that nothing of the like shall happen again under my charge.

I have the honor to be,

Sir,

Your obedient servant,

(Signed,) ALEX. MACFARLANE.

GREAT WESTERN RAILWAY.

STATEMENT shewing the number of Public and Private Road Bridges over and under the Line and the number of Public and Private Road crossings.

| DIVISIONS. | Public Road Crossings. | | | Private Road Crossings. | | | REMARKS. |
|--|------------------------|---------------|-----------------|-------------------------|---------------|-----------------|---|
| | Bridge over. | Bridge under. | Level crossing. | Bridge over. | Bridge under. | Level crossing. | |
| Eastern Division... | 14 | 5 | 56 | 5 | 8 | 73 | Of these there still remain to be built or completed : 2 Public Road Bridges over. 6 Public Level crossings. 3 Private Road Bridges over. 4 Private Level crossings. |
| Central Division (exclusive of Galt Branch.).... | 24 | 19 | 44 | 26 | 27 | 59 | Of these there still remain to be built or completed : 5 Public Road Bridges over. 3 Public Level crossings. Of these there still remain to be built or completed : 19 Public Road Level crossings. 53 Private Road Level crossings. |
| Western Division.. | 6 | 9 | 67 | 7 | 7 | 24 | |
| TOTALS. | 44 | 33 | 167 | 38 | 42 | 346 | |

Summary of Mail Line.

Total number of Public and Private Road Bridges over the Line.... 82
 " " " " under " 75
 " " " " Level crossings.. 513

Total.. 670

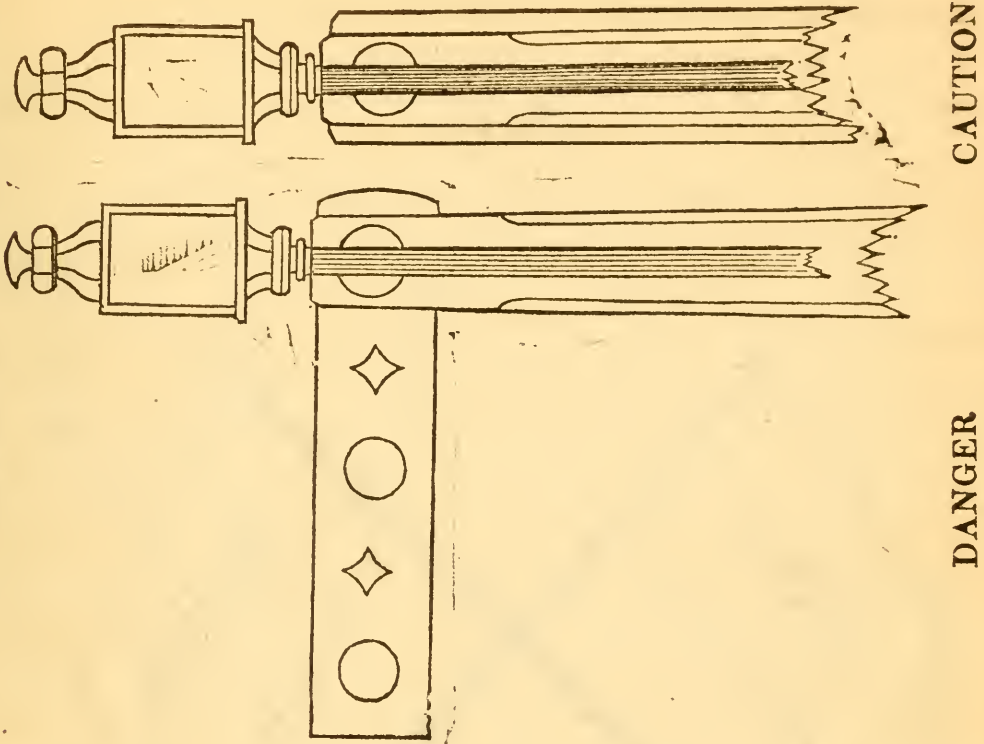
Hamilton, 9th December, 1854

GREAT WESTERN RAILWAY.

RULES and Regulations for the guidance of the Officers and Servants of the Great Western Railway Company, Hamilton, 1853.

No. 1.

FIG. 1.



CAUTION

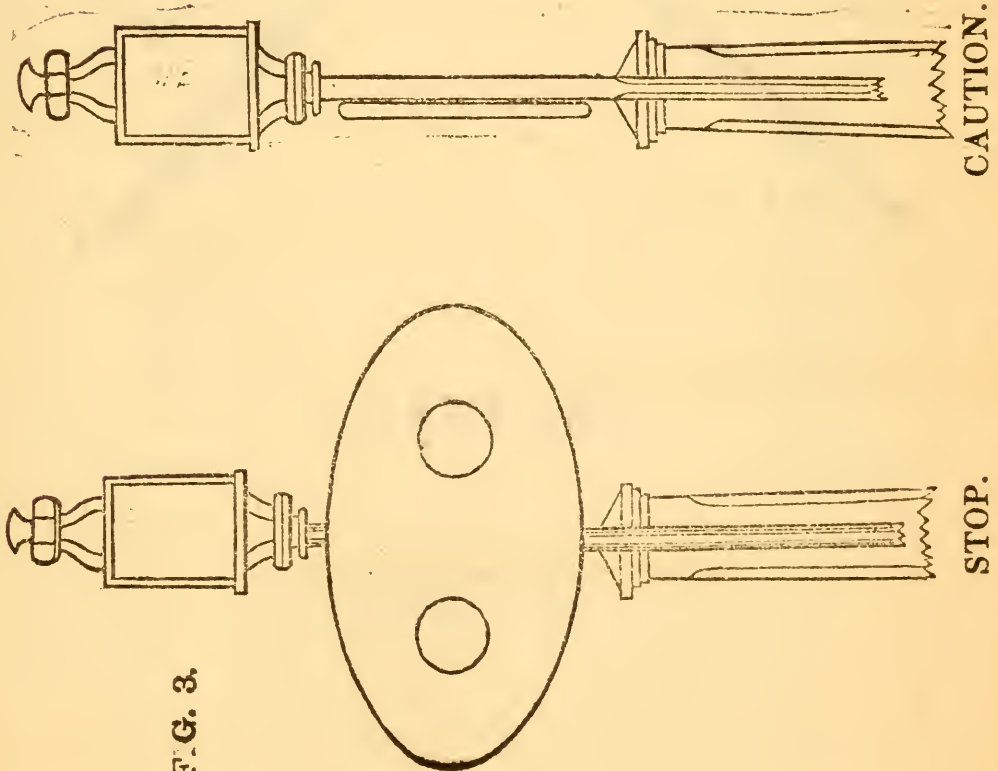
DANGER

OP.

SEMAPHORE SIGNAL.

No. II.

F.G. 3.

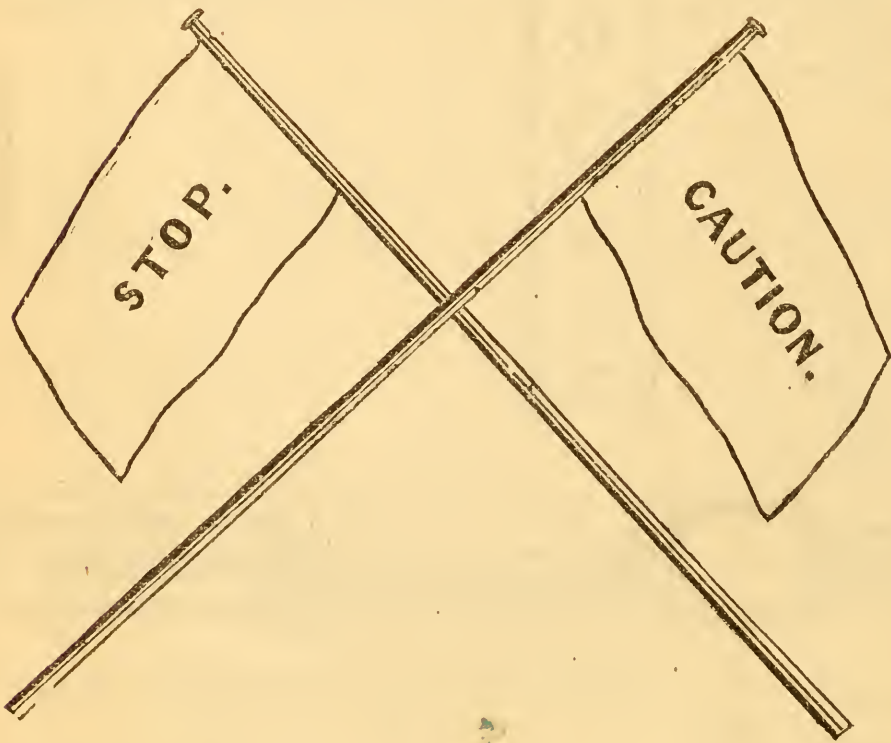


CAUTION.

STOP.

SWITCH SIGNAL.

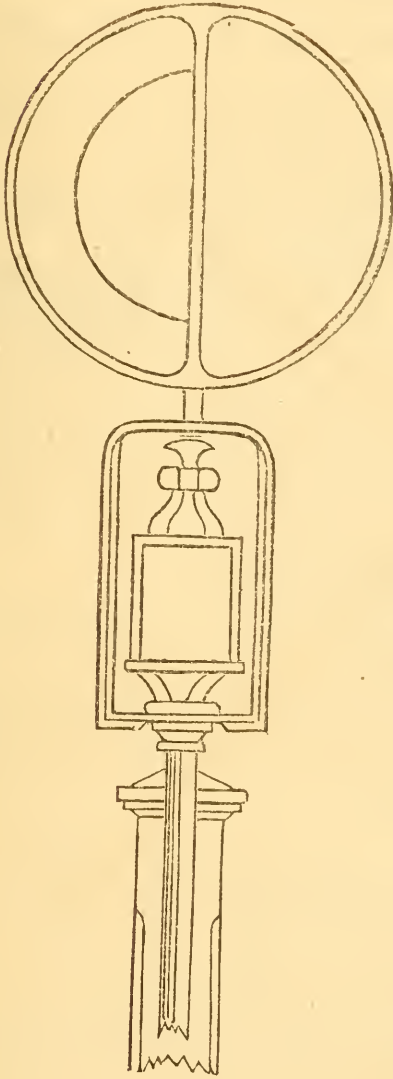
No. III.



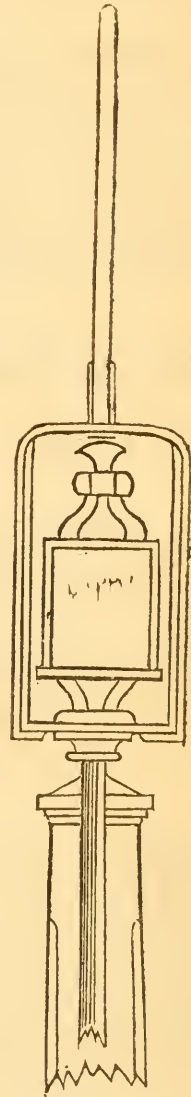
FLAG SIGNAL.

No. IV.

Fig. 7.



DANGER.
STOP.



CAUTION.

DISTANCE SIGNAL.

GENERAL REGULATIONS.

1. The following Rules and Regulations have been framed for the guidance of all the Officers and Servants of the Company; who must make themselves thoroughly acquainted with the duties hereby assigned to them, as well as of those appertaining to the duties of the Staff generally.

2. Fines will be imposed on any Servant of the Company for neglect of the following Rules and Regulations; and all fines that may be imposed upon any of the Company's Servants, will be deducted from the amount of their Salaries or Wages.

3. Every person employed, must give his whole time and attention to the business of the Company.

4. Any misconduct, negligence, incivility, insobriety, or disobedience of orders, will render every person liable to fine or dismissal.

5. Every person in the service to make himself thoroughly acquainted with these Regulations, and keep a copy of them on his person when on duty, under a penalty of Five Shillings for neglect of this order.

C. J. BRYDGES,
Managing Director.

HAMILTON, 1st November, 1853.

Signals.

Red signifies Danger, and means Stop.

Green signifies Caution, and means to Proceed Slowly.

White signifies All Right, and means Go On.

In addition to the above, any Signal, or the Arm waved violently, denotes Danger and the necessity to stop immediately.

Day Signals.

There will be three kinds of Day Signals.

1st. The Semaphore, or Station Signal, (see Plate No. 1.)

2nd. The Switch, or Point Signal, (see Plate No. 2.)

3rd. The Flag Signal, (see Plate No. 3.)

4th. The Distance or Auxiliary Signal, (see Plate No. 4.)

The Semaphore Signal will be placed at each Station; and if the line is clear and free for the passage of Trains, the Arm will not be seen.

If the Arm is extended in a horizontal position, (see Figure 1, Plate 1,) any Train approaching must immediately stop, and on no account pass the Signal.

The Switch or Point Signal, will be attached to each Switch leading into the Main Line. If the Switch is All Right, no Signal will be shown; but if the Switch is turned for the Siding, a Red Oval Signal (see Figure 3, Plate 2) will be exhibited, when the Train must Stop, unless it is going into the Siding; in which case, a Green Flag by Day, or a Green Light by Night, will be shown by the Switchman.

The Flag Signals will consist of Red and Green. The Red Flag means Stop, and the Green Flag, Proceed Cautiously.

The Distance Signal will be placed at Drawbridges, Junctions, and other places where it may be necessary.

The Distance Signal will be a Half Disk, (see Figure 7, Plate 4.) It will remain constantly on, and be turned off if the line is all clear for the Train to approach, upon the Engine whistling.

Night Signals.

A Red Light, in all cases, is the Signal to Stop.

A Green Light is, in all cases, the Signal of Caution, and means, Proceed Cautiously.

Train Signals.

Two White Lights at the head of a Train, indicate a Passenger Train.

One White Light indicates a Goods Train.

One Red Light and One White Light denote a Gravel Train.

One Green Light, in addition to either of the above, will indicate that a Special, or Extra Train, will speedily follow.

In the Day-time, a Red Flag placed in the Front of the Engine, will denote that a Special, or Extra Train, will speedily follow.

After Dusk, or in a Fog, every Train will carry Red Lights behind.

Station Masters.

1. Every station Master is responsible for the faithful and efficient discharge of the duties devolving upon all the Company's servants at the station.

2. He is to see that all books and returns are regularly written up, and neatly kept.

3. He is to take care that all the servants at his station behave respectfully and civilly to passengers of every class, and that no gratuities from the public are received by them, under any circumstances.

4. The working of the signals and switches, at the stations, shall be under the charge of the station master. He is responsible for all persons employed at his station, being thoroughly instructed in the nature and mode of giving signals and also for the proper observance of all orders which may be given from time to time; and he must report to the managing director, every instance of a signal being omitted to be given, or omitted to be attended to, as well as every other breach or neglect of other rules.

5. He is to report, without delay, neglect of duty or Misconduct on the part of any one under his charge; and in case of complaint against any man, he is to communicate the particulars, in writing, as soon as possible.

6. No station master is allowed to be absent without leave from the managing director.

7. Carriages and waggon are never to be allowed to stand on the main line but must be immediately placed in a siding, and securely scotched.

8. The station master shall, on the arrival of every passenger train, see that the name of the station is called out, in a loud and distinct tone of voice, along all parts of the train, so that every passenger may hear and understand it.

9. A bell will be rung five minutes before a train is to start, or at roadside stations, as soon as the train comes in sight. The station master shall intimate to the conductor when a train is ready to start, by ringing a bell, and the conductor shall start it by giving a signal to the engineman.

10. The trains are to start as shown in the time-table, and no train is to be started before the time there stated, nor within ten minutes after the preceding train.

11. The station master must not stop any passenger train at his station, unless such train is marked to stop, in the time-table, (except when necessary for the safety of the line, and in order to carry out these rules and regulations,) or without a special order from the managing director.

12. All occurrences affecting the interests of the Company, or of an unusual kind, are to be promptly reported to the Managing Director, and every Return that may be ordered must be made with dispatch to the proper office.

13. No Tickets are to be issued to Passengers at an Intermediate Station, for the Train by which they have travelled.

14. Passengers not producing their Tickets, are to be required to deposit the amount of the whole fare from the place whence the Train started, until inquiry can be made in order to ascertain whether the fare has been actually paid or not; and in every case the circumstances must be inquired into without delay, and reported.

15. Every communication must be made in writing, as no verbal messages will be attended to. The Station Masters must make themselves thoroughly acquainted with the whole Rules and Regulations, and will be held responsible for their strict observance at the Station.

16. No person except a Director or Officer of the Company, on the Official List supplied to the Station, will be allowed to travel on the Railway without the production of a Pass or Ticket.

17. The Station Master will be responsible for the due collection, and correct and punctual account of all matters connected with the Company's Revenue, in strict accordance with the forms and instructions he may from time to time receive.

18. The Station Masters are to regulate their Clocks daily, from the Time of the Conductor of the First Train out of Hamilton.

19. The Station Master must make a written Report monthly to the Managing Director, of the condition of all Points and Signals at his Station, as well as Reporting immediately any defects as they arise.

20. The Station Master will be required to work the Electric Telegraph at his Station.

Switchmen and Signalmen.

1. It will be the duty of each man in charge of Switches and Signals, to see that they are kept in proper working order, and to report to the Station Master any defects in the same.

2. It will be his duty to see the Signal properly turned on, and to report to the Station Master any neglect of observance of the same.

3. It will be his duty to make himself thoroughly acquainted with the code of Signals.

4. It will be his duty to Turn on the Danger Signal directly that a Train Stops at the Station, and to keep it on for TEN MINUTES AFTER any Train has either passed through, or left the Station.

5. It will be his duty before allowing a Train to pass, to satisfy himself that the Line is clear.

6. At Sidings, such as to ballast pits or otherwise, the Switch must be kept right for the Main Line—and only turned for the Sidings when a Train has to go in or out.

Police and Porters.

1. The Police and Porters are to be under the immediate order of the Station Master.

2. They are never to be absent from the Stations during the hours of duty, without the knowledge of the Station Master.

3. They are to observe the utmost attention and civility to Passengers and others; and, whatever the provocation, on no account to enter into altercation with any one, nor take a gratuity, nor receive money, except their regular wages.

4. At Stations where there is no regular Switchman or Signaller, it will be the Porter's duty to attend to the Switches and Signals.

Enginemen and Firemen.

1. Enginemen and Firemen are required to be in attendance to take charge of their Engines in their Engine Shed, half an hour before the time appointed for them to start, and one day's pay will be deducted from each man who is not in attendance in accordance with this Rule.

2. The Engineman is held responsible that his Engine is in good working order before it leaves the Engine House, and that his lamps are properly trimmed when he receives them, and that they are put in their places; and also that he has a sufficient supply of fuel and water in his Tender. Before starting he must carefully inspect all the working and other parts of his Engine, and see that it is in proper order,—try his pumps and feed pipes when moving out of the shed; and if on inspection, he discovers any thing wrong, he will at once report to the Foreman on duty.

3. The Engineman must see that all parts of the Engine and Tender requiring oil, are properly oiled,—as the value of any part of the machine which is damaged by heating, will be deducted from the pay of the Engineman.

4. Every Engineman shall have with him at all times in his Tender, the following Tools, kept in a chest, viz: a complete set of Screw Keys, one large and one small Monkey Wrench, three Cold Chisels and a Handhammer, one Crow Bar, two short coupling Chains with hooks,—a quantity of Flax, Gaskin, and string for packing, &c.; oil cans, large and small plugs for Tubes, an iron Man-drill for driving the same, two or more Fire Buckets, and two Red Flags; for all which the Engineman is responsible.

5. Before leaving the Shed, the Engineman must obtain a Ticket, which must be filled up in the following manner, viz :

Time of starting.

No. and description of Cars.

Time of arrival at, and departure from Stations.

Time of arrival at end of journey.

If late, the cause of delay.

Report as to defects (if any) in the Road.

6. Every Engineman must have a Time Bill posted in a conspicuous place in his Cab, and regulate the speed of his Engine thereby.

7. The Engine must be attached to the Train five minutes before starting ; and from that time until the arrival of the Train at its destination, they will be under the order of the Conductor in all ordinary matters affecting the starting of the Train. It is the duty of the Fireman to couple the Engine to the Train, and of the Engineman to ascertain that it is done ; but the Engineman must consider himself as principally responsible for the safety of the Train. In case of any accident to the Train, they will act according to the Regulations, and if required, disconnect the Engine, and proceed where they may be ordered by the Conductor ; and generally, during the time above referred to, they must obey orders or Signals, given them by the Station Masters, Conductors, and others, so far as the safe and proper working of the Engine will enable them.

8. Enginemen and Firemen are to pay immediate attention to all Signals, whether the cause of the signal is known to them or not ; and any Engineman neglecting to obey the signal, is liable to immediate dismissal from the Company's service. The Engineman must not, however, trust to Signals only, but on all occasions be vigilant and cautious, and on no account be running before the time specified in his "Time-Table." He is also to obey the special orders of the officers in charge of Stations, when required for the Company's service.

9. Whenever an Engineman perceives a Red Flag, or other Danger Signal, he must bring his Engine to a complete stand, and on no account pass the Signal, except in the case of Distance Signals, when he will pass within such Signal. At Junctions, extra Caution is required.

Enginemen will be required thoroughly to acquaint themselves with the code of Signals. They must always carry with their Engine, proper Day and Night Signals.

11. The Whistle to be sounded 600 yards before approaching a Station or Level Crossing. One short, sharp whistle, to be the signal for putting on all the breaks on the Train : two short, sharp whistles to be the signal for turning them off.

12. The Engineman must not pass a Station, without renewing his supply of fuel and water, if necessary.

13. He must see that his Lamps are lighted in time ; also, that they keep alight throughout the journey.

14. Every Engine, after Dusk, and during Fog, must carry the following Head Lights, viz :—

If attached to a Passenger Train, Two White Lights.

If " to a Goods Train, One White Light.

If " to a Gravel Train, One Red Light and One White Light.

If a Special Train is to follow, One Green Light, in addition to the above.

If travelling without a Train, a White Head Light, Red and Tail Lamp.

15. No Engine shall push a Train or run backwards, except in cases of emergency, when the speed must not exceed 10 miles an hour.

16. No Engine, without a Train, must stand on the Main Line. When standing, either attached to a Train or otherwise, it shall be put out of gear, Steam shut off, and Tender brakes on.

17. No Train shall start from any Station, until the Conductor has given the proper Signal for doing so, viz:—by extending his arm in an horizontal position.

18. Enginemen are strictly enjoined to start and stop their Trains slowly and without a jerk, which is liable to snap the Drawlines.

19. Every Engineman to be cautious in passing Stations, level crossings, places where the track is under repair, trestle work, heavy banks and draws.

20. No person except the Engineman and his Fireman, shall be allowed to ride upon any Locomotive Engine or Tender, except the Principal Officers of the Company, or other persons authorized by a Special Order.

21. In the event of an Engine without a Train, becoming disabled, signals must be placed 600 yards on either side of the Engine, until it is in a state to proceed.

22. Freight Trains must always keep out of the way of Passenger Trains; and if the time will not permit of a Freight Train reaching the next Station or Siding, at least 10 minutes before a Passenger Train is due, to Shunt until the latter has passed.

23. Enginemen attached to Gravel Trains must provide themselves with Time Tables showing the times of the running of all Regular Trains; and in all cases to be off the Main Line at least 20 minutes before the time at which a Train is due.

24. If a Train is on Fire, to be immediately stopped.

25. In descending inclines, Passenger Trains shall not exceed 20, and Freight Trains, 8 miles an hour.

26. No Engineman shall attempt to ascend an incline with a greater load than his Engine is capable of taking up with certainty.

27. Every Engineman upon arriving at the end of his journey, shall report to the Foreman on duty, and enter the same in the book kept for that purpose, the state of the Engine, and any unusual circumstance that may have taken place during the journey.

28. Every Engineman shall see that he has a sufficient supply of necessary stores.

29. Engines travelling on the same line shall not approach within 800 yards of each other's trains, unless expressly required.

30. Every Engineman must be provided with a watch, which must be regulated daily by the Conductor's Time Piece.

31. Upon approaching the Draws at the Welland Canal and at Burlington Heights, the Engineman must on no account run close to the signal, but keep the Train in command so as to stop 200 yards before arriving at the signal.

CONDUCTORS.

The Conductor will be at his head Station at least fifteen minutes before the departure of his Train, and see that his Baggage and Brakesmen are on duty, and from personal inspection, know that every thing is right about his Train before starting; and that the passengers are properly accommodated.

2. The Conductor must be in possession of correct time, carefully regulated by the Standard Clock, and it will be the duty of the Conductor of the first Way Passenger Train each Morning, to give the correct time to each Station that he stops at upon the line.

3. The Conductors are charged with the general appearance of Trains, and conduct of the Baggage-men and Brakesmen; and any misconduct of the men must be promptly reported. They will see that at each Way Station at which the Train stops upon the road, the name of the Station is announced in the inside of each Passenger Car, so as to be heard throughout the Car; and will give the Passengers proper time to get in and out of the cars before the Train is put in motion.

4. They are to allow no riotous nor unruly conduct on the Train; and when any person refuses to pay his fare, the Conductor must remove such person from the Cars.

5. When on the Road, the Conductor has charge of the Train, and is responsible for its safe and proper management.

6. He will notify the Engineer, by extending his arm in a horizontal position, when to start; and will see that the Train is run as near the Time-Table as possible.

7. The Conductor must see that he has the following articles before starting, and that they are all in proper order:—

- 2 Red Flags.
- 2 Signal Hand Lamps:
- 6 Links.
- 2 Screw Jacks.
- Can of Oil.

8. The Conductor will make the necessary entries in his Journal, and hand the same to the Station Master on the arrival of the Train.

9. He must always have a correct Time-Table, showing the hours of running.

10. He must see that at dusk the proper number of Red Tail Lamps and other Signal Lamps are in a proper position, and lighted; and he must also satisfy himself at every station, that All is Right.

11. In the event of the Train being brought to a stand-still between two Stations, he must send a Brakesman, or other properly qualified person, with the proper Signals, 800 yards from either end of the Train, to warn any approaching Train.

12. He will be held responsible for the proper coupling together of all the Cars in the Train, and for the proper connection of the rope attached to the bell in the cab of the Engine.

Brakesmen.

1. They must be at the Head Station half an hour before the departure of the Train, and will be under the orders of the Conductor.

2. They must examine their Brakes before starting, to see that they are in a proper working order, and report any defect to the Conductor.

3. They must ride outside the Cars, so as to be in a position to apply their Brakes immediately upon the proper signals being given by the Engine Driver. (See Engineman's Rule 11.)

Baggage Masters.

1. They must be at the Head Station half an hour before the departure of the Train, and will be under the orders of the Conductor.
2. They must see that all Luggage is properly labelled and arranged, so that there may be no delay in putting it out at the proper Stations.

DRAW-BRIDGE TENDERS.

Welland Canal.

There will be two Tenders stationed at this Draw, and one at least must always be on duty.

They must provide themselves with the proper and authorized Time-Tables, showing the running of the Trains.

The Draw will only be closed for the passage of Trains.

The Danger Signals (see Page 192) on each side will always be turned on. Upon the approach of a Train, the Draw must be closed, and when the Tender has satisfied himself that every thing is right for the passage of the Train, he will turn off the Signal and allow the Train to come forward.

They must see that their Lamps and Signals are always in proper order, and immediately report any defects to the Station Master at the Thorold Station.

In case of fog, the Tender must always proceed at least 600 yards towards an approaching Train, so as to stop it at least that distance from the Draw.

They must always provide themselves with a supply of hand Signal Lamps and Flags, Cotton, Oil, &c., &c.

They must see that the Draw and all parts of it are in proper working order, and immediately report any defect that may arise, to the Station Master at Thorold.

Desjardins Canal.

There will be two Tenders stationed at this Draw, and one at least must always be on duty.

They must provide themselves with the proper and authorized Time-Tables, showing the running of the Trains.

The Danger Signals (see Page 192) on each side will always be turned on. Upon the approach of a Train, and when the Tender has satisfied himself that every thing is right for the passage of the Train, he will turn off the Signal, and allow the Train to come forward.

They must see that their Lamps and Signals are always in proper order, and immediately report any defects to the Station Master at the Hamilton Station.

In case of fog, the Tender must always proceed at least 600 yards towards an approaching Train, so as to stop it at least that distance from the Draw.

They must always provide themselves with a supply of hand Signals, Lamps and Flags, Cotton, Oil, &c. &c.

They must see that the Draw and all parts of it are in proper working order, and immediately report any defect that may arise, to the Station Master at Hamilton.

Track Repairers.

1. The Inspector of each Division will be held responsible for supplying the Foreman of each Gang with a proper Time-Table, showing the running of the Trains ; and that each gang has also a supply of Day and Night Signals.

2. Whenever it is necessary to displace any part of the permanent way, a man with the proper signals, must be sent each way, 800 yards, to stop any approaching Train.

3. Whenever any part of the Road is out of repair, a Green Signal shall be placed 400 yards on either side thereof.

4. The foreman of each Gang must walk over the whole of his beat every morning, before the passage of the Trains, so as to be sure that every thing is right.

Conductors of Gravel Trains.

1. They must supply themselves with authorized Time-Tables, showing the running of the Trains, and must always be off the Main Line at least 20 minutes before the proper time for regular Trains to pass ; and on no account to move out of the Siding, until the regular Train has passed.

2. When a Gravel Train is standing on the Main Line, men with proper Signals, must be placed 800 yards before and behind the Train.

3. They must provide themselves with a proper supply of Day and Night Signals, and see that the same are in an efficient condition.

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GREAT WESTERN RAILWAY OF CANADA.

RULES and Regulations to be observed by the Officers and Men in the employ of this Company, Hamilton, C. W., November, 1854.

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GENERAL REGULATIONS.

The following Rules and Regulations have been framed for the guidance of the Officers and men in the employ of the Company, who must make themselves thoroughly acquainted, not only with the duties hereby assigned to them, but of those appertaining to the staff generally.

1. Each person will serve and reside where necessary, and devote such time as may be required of him to the Company's service.

2. He shall promptly obey all orders from persons placed in authority over him, and strictly conform to all known regulations.

3. He is not on any occasion, or under any pretence, to receive money from any person on the Company's account, unless appointed to do so.

4. He will receive his pay upon the days appointed, but the Company reserve the right to deduct from the pay such fines as may be imposed for neglect of duties.

5. He shall not quit the Company's service without giving two weeks previous notice of his intention to do so, and should he leave without giving this intimation, any moneys then due will be forfeited; any person in the service of the

Company, who shall resign or be dismissed from his situation, shall deliver up every article of dress which may have been supplied to him, and should such articles of appointments on examination be found to have been improperly used, or damaged, sufficient deductions from wages then due shall be made to cover the damages; if a Tenant of the Company, he shall immediately remove from their premises.

6. Each person shall be expected, when on duty, to appear in an efficient and proper state of neatness and cleanliness.

7. Each person shall be liable to immediate dismissal for incompetency, disobedience of orders, negligence, or other misconduct; or to such punishment as the Managing Director or his superior officer may award.

8. Spirituous liquors are strictly forbidden from being taken with persons when on duty. Intoxication and swearing will always be treated as grave offences, and any man so offending will be instantly dismissed; besides for the former offence being liable to fine and imprisonment by the Magistrates, as well as by the Railway Company for damage arising therefrom, each man will be held legally liable for injury occasioned by his negligence to persons or property.

9. Any case of incivility or rudeness will meet with instant punishment by dismissal or fine; and all persons employed by the Company, are strictly enjoined not to enter into altercation with any person, whatever provocation may have been given; but, if necessary, to report the matter to their immediate superiors.

10. The pay of every man absent or suspended from duty will be stopped. No persons employed by the Company are allowed to receive gratuities, or smoke on the premises, and they shall prevent others from smoking in the station grounds.

11. No officer, or person in the employ of the Company is allowed, under any circumstances to absent himself from duty without permission from the head officer of his department, except, from illness, in which case he must immediately send notice to the proper quarter, that a competent person may be entrusted with the duties.

12. They are required to give the strictest obedience to the Danger and Caution Signals. They are not allowed to judge of the necessity of any signals shown; the responsibility for giving them rests with those who exhibit them, and it is absolutely necessary that they be implicitly obeyed.

13. Every person in the service shall make himself thoroughly acquainted with the Time-Tables that shall from time to time be issued, and shall keep a copy of them, and the Rules and Regulations, on his person when on duty, under a penalty of Five Shillings for neglect of this order.

Hamilton, November, 1854.

C. J. BRYDGES,
Managing Director.

SIGNALS.

Red signifies Danger, and means Stop.

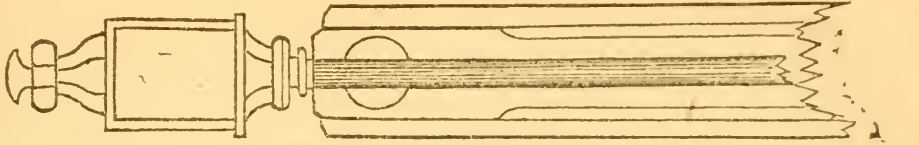
Green signifies Caution, and means to Proceed Slowly.

White signifies All Right, and means Go on.

In addition to the above, and in the unavoidable absence of the ordinary Signals, anything waved violently up and down across the track, denotes Danger and the necessity to stop immediately.

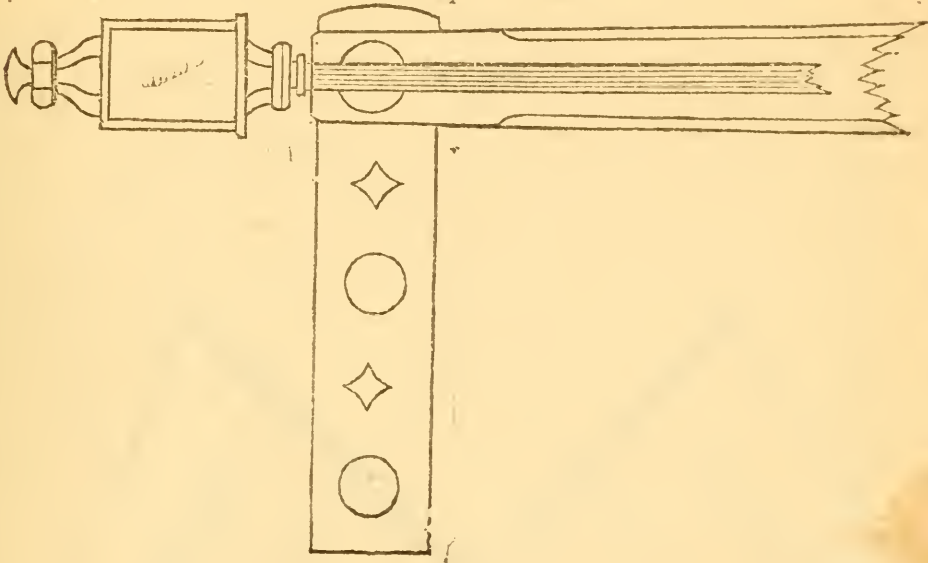
No. 1.

Fig. 2.



CAUTION

Fig. 1.



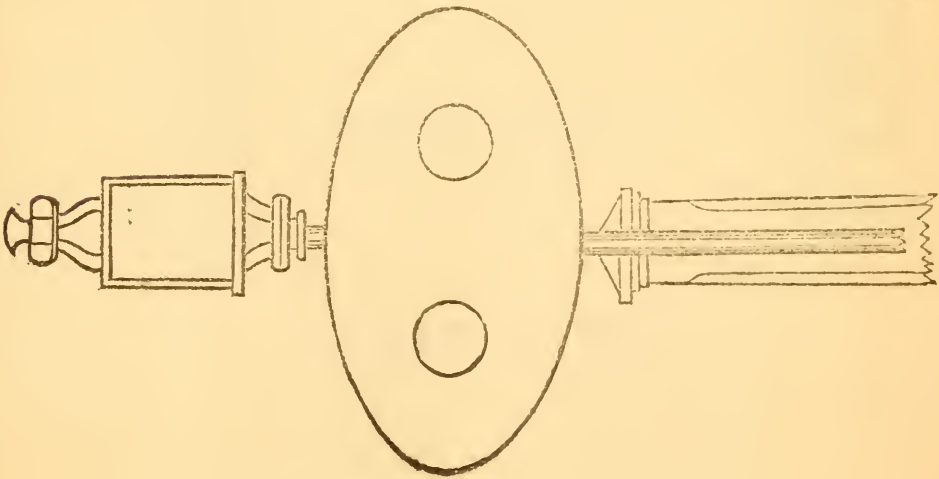
DANGER

STOP.

SEMAPHORE SIGNAL.

No. 2.

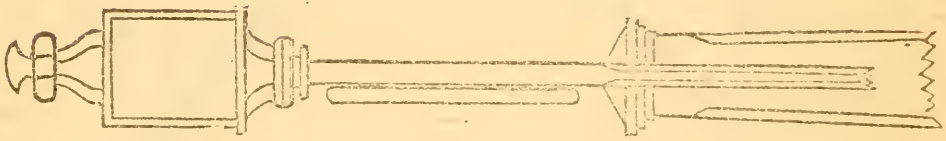
Fig. 3.



STOP.

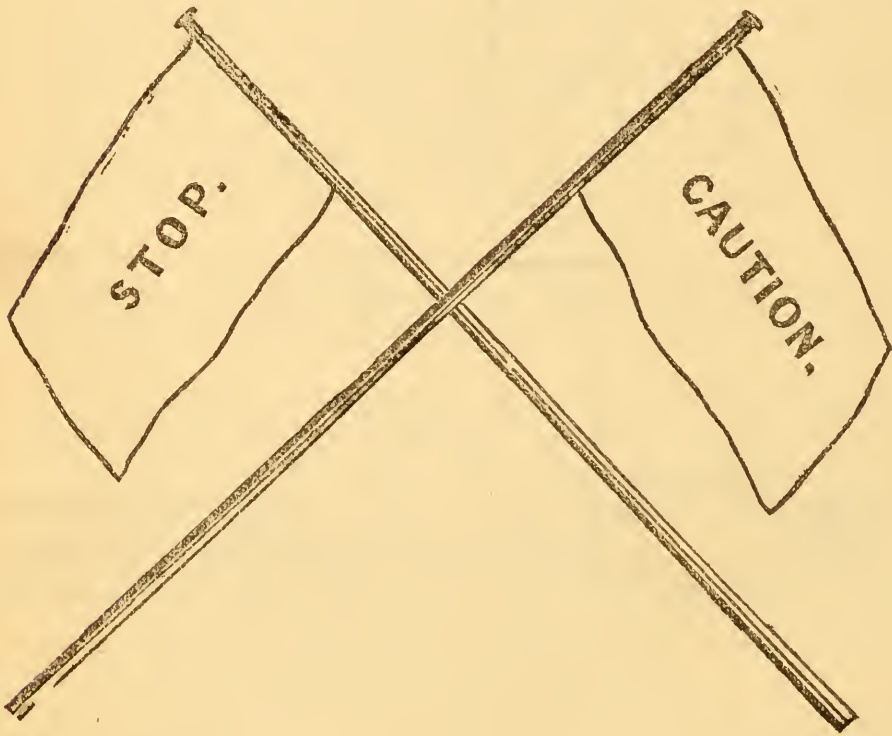
SWITCH SIGNAL.

Fig. 4.



CAUTION

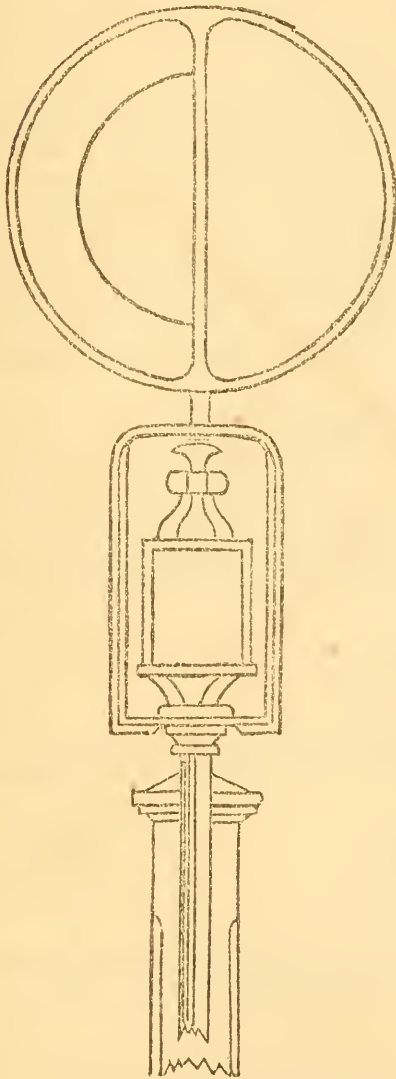
No. 3.



FLAG SIGNAL.

No. 4.

Fig. 7.



DANGER.
STOP.

Fig. 8.



CAUTION.

DISTANCE SIGNAL.

Day Signals.

There will be Four kinds of Day Signals.

1st. The Semaphore, or Station Signal, (see Plate No. 1.)

2nd. The Switch, or Point Signal, (see Plate No. 2.)

3rd. The Flag Signal, (see Plate No. 3.)

4th. The Distance or Auxiliary Signal, (see Plate No. 4.)

The Semaphore Signal will be placed at each Station ; and if the line is clear and free for the passage of Trains, the arms will not be seen.

In cases where it may be necessary to proceed cautiously, the Semaphore Arm will be raised to the angle of 45 degrees, or half way.

If the Arm is extended in a horizontal position, (see Plate 1,) any Train approaching must immediately stop, and on no account pass the Signal.

The Switch or Point Signal, will be attached to each Switch leading into the Main Line. If the Switch is All Right, no Signal will be shown ; but if the Switch is turned for the Siding, a Red Oval Signal (see Figure 3, Plate 2) will be exhibited, when the Train must Stop, unless it is going into the Siding ; in which case, a Green Flag by Day, or a Green Light by Night, will be shown by the Switchman ; and the Train shall enter slowly, and must be completely under the command of the Engineman, so as to be brought to a stand, short of switch at other end.

The Flag Signals will consist of Red and Green.

The Distance Signal will be placed at Drawbridges, Junctions, and other places where it may be necessary.

The Distance Signal will be a Half Disc, (see Figure 7, Plate 4.) It will remain constantly on, and be turned off if the line is all clear for the Train to approach, upon the Engine whistling.

Night Signals.

A Red Light, in all cases, is the Signal to Stop.

A Green Light is, in all cases, the Signal of Caution, and means, Proceed Cautiously.

A White Light, to go on—that All is Right.

Train Signals.

One Red Light and One White Light on front of Engine denote a Gravel Train.

A Green Light, on front and tail of Train, will indicate that a Special, or Extra Train, will speedily follow.

In the Day-time, a Red Flag, placed in the Front of the Engine, and a Red Board " Engine Follows," exhibited on rear of Train, will denote that a Special, or Extra Train, will speedily follow.

After Dusk, or in a Fog, every Train, or Engine without a Train, will carry Head and Tail Lights.

Station Masters.

1. Each Station Master will be responsible for the due collection, and correct and punctual account of all matters connected with the Company's Revenue, in strict accordance with the forms and instructions he may from time to time receive.

2. He shall communicate to the Superintendent any alteration, calculated to promote the public convenience, or increase the revenue, that may suggest itself to him.

3. He will be responsible for the good conduct and order of all Persons, employed at his Station, as well as for the order and arrangement of the Station itself.

He shall be answerable for the Buildings and the Company's Property there ; will daily inspect all Rooms and places in connection with the Station, to see that they are kept neat and clean.

4. He shall report without delay, any neglect of duty on the part of any one under his charge, and in case of complaint against any servant, he will communicate the particulars as soon as possible, so that the offender may be sent to head-quarters, if the case require it.

5. He will be particular in attending to the comfort and convenience of Passengers, and seeing that no gratuities are taken from them by any of the Company's Servants ; he will also see that no Person exposes himself to danger by being too near the Track, leaping on or off Cars, or uncoupling them when in motion.

6. The Switches and Signals shall be under his especial charge, and he shall at all times be particular in seeing that they are in good working order, and that they are properly attended to. All switches diverging from main track, when not in actual use, must be locked.

He shall make a Written Report, Monthly, to the Superintendent, of their condition, as well as reporting immediately any defect as they arise.

7. He shall see that all the Books are neatly written, and when finished, that they are properly labelled and laid past for future reference ; that all Letters are punctually attended to, and when necessary, replied to by first Train thereafter. All communications must be made in writing, as verbal messages will not be attended to.

8. He shall see that the Booking Office is opened not later than half an hour previous to the time of the departure of Trains, and closed immediately after the Train has arrived, and is not opened whilst the Train is at the Station ; but the Office must never be left during the day without a responsible person being in it.

9. Passenger or Freight Cars must upon no account be left on the Main Track, nor upon any surface crossing, but shunted into a siding, at least four feet clear of main track, locked, and the wheels securely scotched.

10. Station Masters at intermediate Stations shall, on the arrival of the Train at the platforms, see that the names of their Stations are called out in a loud and distinct tone of voice, along all parts of the Train, so that every Passenger may hear and understand. They shall be particular in noting in their Train Book, the arrival and departure of all Trains, whether they stop or not.

11. At a terminus, and Refreshment Stations, the Bell shall be rung three minutes before the time of starting ; at the intermediate Stations, when the Train comes in sight.

The Station Masters shall see that the Conductors get every assistance at the Stations, so as to have the Trains dispatched without loss of time ; and any delay in the time of starting the Trains from termini, or detention at intermediate Stations will be strictly enquired into. This regulation applies as much to Freight as to Passenger Trains ; the Conductor shall signal the Engineman to start, but not before the time shown in the Table.

12. In the event of a Train arriving at a Station, preceded by another Train, which, from accident or otherwise, has become irregular, the circumstance, with such caution as the cause of irregularity may require, shall be communicated by the Station Master to the Conductor of the following Train, and the Conductor shall inform his Engineman.

No Train must be started from a Station, within ten minutes after a preceding Train.

13. Station Masters must not stop Passenger Trains at their Stations, unless such Trains are marked on the Time-Table to stop, (except when necessary for the safety of the line, and in order to carry out these Rules and Regulations), or without special instructions from the Superintendent.

14. No Tickets are to be issued to Passengers at an Intermediate Station, for the Train by which they have travelled, except to passengers from Flag Stations.

15. No person except a Director or Officer of the Company, on the Official List supplied to the Station, will be allowed to travel on the Railway without the production of a Pass or Ticket.

16. The Station Masters are to regulate their Clocks daily; the Time will be given by the Conductor of the First Train out of Hamilton; and when the Time at any Station differs from that of the Conductor for two successive days, advice must be sent to the Superintendent, as in such cases a person will be sent to regulate it, to assist whom, the Time it has gained or lost must be carefully registered. Time will be telegraphed daily, at 12 noon, to telegraph stations.

No fault of the Clock will be admitted as an excuse for continual irregularity and incorrectness.

17. Timeous applications for stores must be made upon the proper Requisition forms, and sent to the Superintendent. Station Masters are specially requested to see that such stores are prudently and economically used, and that there is no waste of Oil, Stationery, &c.

Station Masters shall see that no expense is incurred at their Stations, for furnishings or otherwise, without the written permission of the Superintendent or other Officer of the Company; such authorized accounts to be sent, duly certified, with remarks if necessary, to the Superintendent, not later than the 20th of each month.

18. The Telegraph Instrument must not be left without a qualified person to work it, until all the Trains have passed the Station, except at hours appointed for meals.

19. A Report of articles found in the Passenger Cars, or upon the Track, must be sent immediately to the Superintendent, and if not claimed within one week thereafter, must be sent to the Baggage Office at Hamilton, accompanied by the proper form stating where and when found. These things must also be registered in the book kept for the purpose by the Station Master, giving particulars of date, and where found, and how disposed of. Parties claiming and giving a description of such found property, shall give a receipt in the book, as having obtained possession, and no piece of Baggage shall be sent off by a conveyance belonging to another company, without getting a receipt for same.

20. Station Masters are specially directed to see that their Baggage Masters strictly attend to Rules relating to baggage, and report any neglect.

Switchmen and Signalmen.

1. It will be the duty of each man in charge of Switches and Signals, to make himself familiar with the arrangement of the Station and Switches on his beat, and to provide himself with two Red and two Green Signal Flags and two Hand Signal Lamps; and if distant from a Station, he shall also have a supply of Oil and Wick at hand, and he will be held responsible for these Signals and Switches, at all times being in good working order, and to report to the nearest Station Master any defects in the same.

2. It will be his duty to make himself thoroughly acquainted with the Code of Signals, so as to work them properly; and he shall report to the Station Master, any neglect on the part of Enginemen of observance of the same.

3. He will be very particular in seeing that the Danger Signal is shown directly that a Train Stops at the Station, and to keep it on for Ten Minutes after any Train has either passed through, or left the Station.

4. It will be his duty, before allowing a Train to pass, to satisfy himself that the Line is clear.

5. At all Sidings the Switch must be kept right for the Main Line and locked, and only unlocked and turned for the Siding when a Train has to go in or out. The handle must always be shut close, and pinned or locked. No person shall attempt to hold the handle in his hand while the switch is in use.

6. He shall prevent, as much as possible, trespass upon the Track.

7. Before leaving for meals he shall satisfy himself that the Signals are all right, and that the Switches are locked upon the Sidings, and the Main Track clear, and the Key of Switches handed over to the person appointed to take charge during his absence.

8. He will be particular in seeing that, before dusk, the lamps on all Switch and Signal Posts are lighted, and that they are trimmed so as to burn during the time that trains are expected to pass.

GALT BRANCH JUNCTION.

The Switchman at the Junction of this Branch with the Main Track, shall keep the Danger Signal always shown on the Branch, and no Engineman, either on the Main Track or Branch, shall be allowed to approach within 200 yards of the junction, until he receives the proper Signal to move forward.

STAMFORD JUNCTION.

1. The Switchman shall not be absent for meals or otherwise, within half an hour of a train being due.

2. He shall not absent himself from duty, or give the Switch keys to any one, without the permission of the G. W. R. Station Master at Suspension Bridge.

3. Engineman FROM OR TO the Erie and Ontario Road, when 800 yards distant from Junction, shall announce their approach by giving *three* distinct whistles, and keep ringing their bell; and shall approach cautiously, (coming from Niagara,) so that they could, if necessary, bring their trains to a stand at least 100 yards clear of the Junction.

G. W. R. Enginemen shall observe the same rules in approaching this Junction, but shall give a continuous whistle at least 800 yards distant from Junction.

4. There shall be one Semaphore post placed between the two tracks, and the Semaphore or Danger Signal shall always be shown across the E. and O. R. R.

track, except when that Company's trains are permitted to come upon the G. W. track, in which case the signal shall be turned over G. W. R. track. The switches shall in like manner be always kept right and locked for G. W. Railway.

5. No engine or train shall be permitted to come from the Ontario Road upon the G. W. R., to pass east towards Suspension Bridge, within twenty minutes of the starting time of a G. W. R. train from Bridge westward.

6. Great Western Railway trains shall in all cases have the preference to the use of their own track, but E. and O. trains shall be allowed to follow cautiously a G. W. train, after the expiring of five minutes from the starting time of such train.

7. The Switchman shall always be on the look out for approaching trains, and prevent any unnecessary delay. He shall keep a register of the passing time of each Company's trains, and communicate to the G. W. R. Station Master at Suspension Bridge, any neglect of signals, defect of switches, lamps, or other circumstance affecting the safe working of the track.

ONTARIO JUNCTION—SUSPENSION BRIDGE.

1. The Switchman at this Junction shall observe generally the Rules laid down for the guidance of the Switchman at Stamford.

2. The Switches shall always be set for the G. W. R. track and locked, and the Danger Signal shown upon the Ontario track, unless that Company's trains are permitted to come upon the G. W. Railway.

3. The Enginemen of both Companies shall announce their approach as printed out in previous rules, and shall bring their train to a stand at the prescribed distance, unless signalled by green flag or green light to move on.

4. No engine or train shall be permitted to come from Chippewa, on to the G. W. R. track, within twenty minutes of a G. W. R. train being due at Suspension Bridge from the West.

5. G. W. R. trains shall in all cases have the preference in passing along their own track, but an Ontario train shall be allowed to follow cautiously a G. W. R. train to Stamford Junction, after the expiring of five minutes from departure of G. W. Train.

6. No. 7. Rule to Stamford Junction Switchman must be strictly attended to.

DRAW-BRIDGE TENDERS.

WELLAND CANAL.

1. There will be two Tenders stationed at this Draw, night and day, and one at least must always be on duty.

2. They must provide themselves with proper Time-Tables, showing the running of the Trains.

3. The Draw will only be closed for the passage of Trains.

4. The Danger Signals, on each side, will always be shown to trains. Upon the approach of a Train, the Draw must be closed, and when the Tenders have satisfied themselves that every thing is right for the passage of the Train, they will turn off the Signal and allow the Train to approach.

5. During a fog, or snow storm, the Tender must always proceed towards an approaching Train, at least 800 yards beyond the signal post, so as to be able, if necessary, to stop the Train at least that distance from the Draw.

6. They must always provide themselves with a supply of hand Signal Lamps and flags, Cotton, Wick, Oil, &c. &c.

7. They must see that the Draw and all parts of it, as well as their Lamps and Signals, are in proper working order, and immediately report any defect that may arise, to the Station Master at Thorold.

A register shall be kept of Vessels passing through the Draw, giving hour, &c.

DESJARDINS CANAL.

1. There will be two Tenders stationed at this Draw, and one at least must always be on duty.

2. They must provide themselves with proper Time-Tables, showing the running of the Trains.

3. The Danger Signals, on each side, will always be turned on. Upon the approach of a Train, and when the Tender has satisfied himself that every thing is right for the passage of the Train, he will turn off the Signal, and allow the Train to come forward.

4. During a fog, or snow storm, the Tender must always proceed towards an approaching Train, at least 800 yards beyond the Semaphore signal post, so as to be able, if necessary, to stop it at least that distance from the Draw.

5. They must always provide themselves with a supply of hand Signal Lamps, Flags, Cotton, Wick, Oil, &c., &c.

6. They must see that the Draw, and all parts of it, as well their Lamps and Signals, are in proper working order, and immediately report any defect that may arise, to the Station Master at Hamilton.

They shall register in their book the date, time and name of all Vessels passing through the draw, and remark any delay that may happen.

BAGGAGE MASTERS.

1. Baggage Masters shall be under the immediate control of their Station Masters, but shall attend to the special requirements of the General Baggage Agent. They shall attend at the Station during the hours laid down by Station Masters.

2. All Baggage destined to go by train, and ACCOMPANIED BY PASSENGERS, shall be checked or labelled according to the article and destination, and if excess weight, PREPAID, and a ticket granted. Before giving a duplicate check to passengers, it must be compared with the corresponding one to be affixed to Baggage.

No Baggage or article shall be received to be forwarded by a train unless it is accompanied by a passenger, or in cases of emergency invoiced as freight by Freight department, and accompanied by a way-bill.

No Baggage shall be checked for MIXED TRAINS, only labelled.

3. When Baggage is checked or labelled to be dispatched, it must be carefully watched and handed over to the Train Baggage-man.

4. In receiving Baggage from a train, care must be taken in examining that it is being properly left off; and it shall not be given up until the duplicate check is produced, which duplicates shall be attached to corresponding ones, and locked up in Baggage Room.

5. Should a piece of Baggage be missing, the Baggage Master shall instantly report the case to the Station Master, who shall register the particulars in Baggage book, and take immediate steps for tracing it. Intimation shall at same time be sent to General Baggage Agent.

6. All unclaimed CHECKED and other baggage shall be at once locked up in Baggage Room, and a report of it sent to the General Baggage Agent, who shall instruct as to its disposal. Baggage claims, with all particulars, shall be sent to the Superintendent by the Station Master, without loss of time.

7. Baggage checks shall not upon any account be left loose about the Station. They must be carefully locked up; and when returned Checks are being sent to Stations, they shall be *firmly* tied together and legibly addressed.

PORTERS.

1. The Porters are under the immediate order of the Station Master, and are never to be absent from the Stations during the hours of duty, without his knowledge.

2. They are to observe the utmost attention and civility to Passengers and others; and, whatever the provocation, on no account to enter into altercation with any one, nor take a gratuity, nor receive money, except their regular wages.

3. They shall render every assistance in loading and unloading Passengers' Baggage, and shall handle it as carefully as possible. They shall also assist the Baggage Master in checking the Baggage on arrival and departure of Trains.

4. They shall call out the name of the Station on the arrival of the Trains at the platform, and while the Cars are in motion, they are strictly prohibited from leaping off or on them, or from coupling or uncoupling them, and shall also prevent Passengers getting on or off when they are in motion.

5. At Stations where there is no appointed Lamp Trimmer, they shall have the Lamps at the Station always trimmed and in readiness for use; and shall take an interest in keeping the Station, Waiting Rooms, Stoves, &c., clean; when necessary, keep on proper fires, and be careful in seeing that no Timber is within nine inches of the Stoves.

6. The *Baggage Master* shall act as Foreman Porter, and shall especially be held responsible that these things are attended to, and that the different places about the Station are secure before leaving at night.

7. At Stations where there is no regular Switchman or Signaller, it will be the Porter's duty to attend to the Switches and Signals, and he will qualify himself for this service.

ENGINEMEN AND FIREMEN.

1. Enginemen and Firemen are required to be in attendance to take charge of their Engines in the Engine Shed, an hour before the time appointed for them to start, and one day's pay will be deducted from each man who is not in attendance in accordance with this Rule.

2. The Engineman is held responsible that his Engine is in good working order before it leaves the Engine House, and that his lamps are properly trimmed, and that they are put in their places; also, that he has a sufficient supply of wood, water, oil, &c. Before starting, he must carefully inspect all the working and other parts of his Engine, and see that they are in proper order,—try his pumps and feed pipes when moving out of the shed, and if on inspection, he discovers any thing wrong, he will at once report to the Foreman on duty.

3. The Engineman must see that all parts of the Engine and Tender requiring oil, are properly oiled,—as the value of any part of the machine which is damaged by heating will be deducted from the pay of the Engineman.

4. Each Engineman shall have with him while on his journey, the following articles, viz : a Hand Signal Lamp, a complete set of Screw Keys, one large and one small Monkey Wrench, three Cold Chisels, a Handhammer, an Axe, one Crow Bar, two Screw Jacks, a large Chain, or Tail Rope, two short coupling Chains with hooks, links and pins,—a quantity of Flax, Gaskin, and string for packing, &c. ; oil cans, large and small plugs for Tubes, an iron Man-drill for driving the same, two or more Fire Buckets, two Red Flags, and pair of Tongs ; for all which the Engineman is responsible.

5. Before leaving the Shed, the Engineman shall obtain a Ticket, which must be filled up in the following manner, viz :

Time of starting.

No. and description of Cars.

Time of arrival at and departure from stations.

Time of arrival at end of journey.

If late, the cause of delay.

Report as to Defects (if any) in the Road.

Report of cattle on track, and if any killed, particulars.

6. Every Engineman must have a Time Bill posted in a conspicuous place in his Cab, and regulate the speed of his Engine thereby.

7. The Engine must be attached to Passenger Trains at least five minutes before the time of starting ; and from that time until the arrival of the Train at its destination, the Engineman will be under the order of the Conductor in all ordinary matters affecting the starting of the Train. It is the duty of the Fireman to couple the Engine to the Train, and of the Engineman to ascertain that it is done ; but the Engineman must consider himself as principally responsible for the safety of the train.

Enginemen of Freight Trains shall be at the Freight Warehouse at least half an hour previous to the time of starting so as to have their Trains marshalled and ready to start at the appointed time.

8. No Engineman, with a train of any kind, shall start from any Station or Siding without a conductor ; and if without a train and Conductor, he shall have the Station Master's written authority before leaving to proceed along the *main track*.

9. Enginemen must not allow their Firemen to shunt Cars, or move the Engine at all for other than temporary purposes ; and an Engine in steam shall not be left at a Station without either the Engineman or Fireman being in charge.

10. In case of any accident to the Train, they will act according to the Regulations, and if required, disconnect the Engine, and proceed where they may be ordered by the Conductor ; and generally, obey Orders or Signals given them by the Station Masters or Conductors, so far as the safe and proper working of the Engine will enable them.

11. Enginemen and Firemen are to pay immediate attention to all Signals, whether the cause of the Signal is known to them or not ; and any Engineman neglecting to obey a Signal, is liable to immediate dismissal from the Company's service. The Engineman must not, however, trust to Signals only, but on all occasions be vigilant and cautious, and on no account be running before the time specified in his "Time-Table." In foggy weather, he shall be very cautious and sound his whistle at least every mile.

12. Whenever an Engineman perceives a Red Flag or other Danger Signal, he must bring his Engine to an immediate stand, and on no account pass the Signal.

In the case, however, of Distance Signals, he will pass within such Signal so as to be protected by it. At Junctions and Drawbridges extra caution is required.

13. Enginemen will be required thoroughly to acquaint themselves with the Code of Signals. They must always carry on their Engine proper Day and Night Signals.

14. The Whistle shall be sounded 600 yards before approaching a Station or Level Crossing.

One short, sharp whistle, to be the signal for putting on all the brakes on the Train; two short, sharp whistles to be the signal for turning them off.

Enginemen will report any inattention of the Brakesmen to Brake Signals.

15. The Engineman must not pass a Station without renewing his supply of wood and water, if necessary.

16. He must see that his Lamps are lighted in time; also, that they keep alight throughout the journey.

Every Engine, after Dusk and during Fog, must carry Head Lights.

If attached to a Gravel Train, One Red Light and One White Light.

If a Special Train is to follow, One Green Light in addition to the above.

If travelling without a Train, a White Head Light and Red Tail Lamp.

17. No Engine shall push a Train or run backwards, except in cases of emergency, when the speed must not exceed 12 miles an hour.

18. In shunting Cars at Stations or Sidings, the Engine must not be uncoupled from them, until they are at a stand, neither shall they be shunted with too great an impetus, so as to damage them or any property that may be in the siding.

19. No Engine, without a Train, must stand on the Main Line. When standing, either attached to a Train or otherwise, it shall be put out of gear, Steam shut off and Tender brakes firmly pinned down.

20. No Freight or other Train shall stop at any siding to leave off or take on Cars, after dark, unless the Train is properly protected in front and behind by Signal Lamps.

21. No Train shall be started from any Station, until the Conductor has given the proper Signal for doing so.

22. Enginemen are strictly enjoined to start and stop their Trains slowly, and without a jerk, which is liable to snap the Couplings.

23. Enginemen, in approaching Stations, especially those at which their trains do not stop, shall sound their whistle at a distance of not less than 800 yards from the nearest Station switch; and shall, if possible, use more than ordinary vigilance in seeing by the Discs that the switches are properly set, and the track otherwise clear. In passing Stations at which the Train does not stop, the speed of the Train shall not exceed twenty miles an hour.

24. Every Engineman to be cautious in passing level crossings, places where the track is under repair, trestle work, cuttings, heavy banks and draws, and especially during or after heavy rains or storms.

Enginemen are specially warned to pass over trestle works very cautiously, particularly the one at Burlington Heights; and in approaching this place from east or west, to have their Trains entirely under their command, so that they could be brought to a stand not less than 100 yards from edge of trestle, if necessary.

25. No person, except the Engineman and his Fireman, shall be allowed to ride upon any Engine or Tender, except the Principal Officers of the Company, or other persons authorized by a Special Order; a breach of this rule will subject Enginemen to a heavy fine or dismissal.

26. In the event of an Engine, with or without a Train, becoming disabled, Signals must be placed 800 yards on either side, until he is in a state to proceed.

27. If any portion of a Train gets detached while in motion, care must be taken not to stop the Train in front before the detached part has stopped, and it shall be the duty of the Brakesman on this detached portion to apply the Brakes in time to prevent a collision with the Cars in front.

28. Freight and Mixed Trains must always keep out of the way of Passenger Trains; and if the time will not permit of a Freight Train reaching the next Station or Siding, at least 10 minutes before a Passenger Train is due, to shunt until the latter has passed.

29. Enginemen attached to Gravel or Construction Trains must provide themselves with Time-Tables showing the time of all Regular Trains; and in all cases be off the Main Track at least 20 minutes before the time at which a Train is due, and remain in the siding until the Train has passed. When, however, a Freight Train is more than 30 minutes behind time, the Gravel Train may go out of the siding; in such case the Conductor will take particular care that before going round any curve, in the direction of the approaching train, a man is sent ahead to a distance of 800 yards, with a proper signal, and that when the Gravel or Construction Train is on the Main Line dumping, men with Red Signals are placed 800 yards from either end of the train. Enginemen attached to Freight Trains are requested to pay particular attention to this rule, and, when they are behind time, to be careful in approaching the place where Gravel or Construction Trains are at work. Under no circumstances are Gravel or Construction Trains to be allowed to go on the Main Line on the time of a Passenger Train, or until it has passed, if over due.

For the purpose of recalling signalmen, placed at a distance from each end of a train, the Enginemen shall give 3 sharp whistles; but the greatest care must be observed in withdrawing signalmen in the face of an expecting or approaching train.

30. Gravel trains will give preference to Passenger and Freight trains, but Wood and Gravel trains will be considered of the same class, and the lightness, or proximity of a train to a Siding, shall determine which train shall shunt.

31. When any of the Cars of a train are on Fire, more than 300 yards distant from any watering place, the train must be stopped, and the burning car cut out of the train, and every endeavor used to have fire extinguished. The Engineman will give what water he can spare from his Tender.

32. No Engineman or Fireman shall move an Engine through any Switches, unless they are both present, or some qualified person to hold the Switches. Any Engineman or Fireman, getting off his Engine when alone to hold the Switches, shall be fined in one dollar.

33. In descending grades, Passenger Trains shall not exceed 20 and Freight Trains 12 miles an hour. No Engineman shall attempt to ascend a grade with a greater load than his Engine is capable of taking up with certainty.

34. All Enginemen must be particularly careful to ascertain before they start upon a journey, whether there are any written orders affecting them, relative to the conditions of the Line or otherwise; and to these orders, that shall from time

to time be issued, they shall give their undivided attention. They shall also be vigilant in observing the various signals placed along the line, indicating a portion of the road under repair. Also notice the changer of gradients, so as to preserve a uniform rate of speed, and, on a descending grade, they shall at all times reduce their speed, so that they can have full command of their train, and be able to bring it up in the same distance as could be done on the level or flat grade. In pulling up a train they shall take the weight of their train, gradients of the track, and the state of the rails into account.

35. Engines travelling in the same direction shall not approach within 800 yards of each other's Trains, unless expressly required.

36. Each Engineman will be provided with a Time-piece, which must be regulated daily before departure of his train.

37. Upon approaching the Junction at Fairchild's Creek, Stamford and Suspension Bridge, the Draws at the Welland Canal and at Burlington Heights, the Enginemen must on no account run close to the signals, but keep their Trains in command so as to stop 100 yards short of them. (*Vide Instructions to Switchmen of Erie and Ontario Junctions at Stamford and Suspension Bridge.*)

38. Each Engineman, upon arriving at the end of his journey, shall give his Ticket to the Foreman on duty, and enter in the book kept for that purpose, the state of the Engine, and any unusual circumstance that may have taken place during the journey.

CONDUCTORS.

1. Conductors of Passenger Trains will be at the Starting Station at least half an hour before the departure of their Train, see that their Baggage and Brakesmen are on duty, that the Cars have been carefully swept out and dusted, that, when necessary, the Stoves and Lamps have been lighted in proper time, and from personal inspection, know that everything is right about their Train before starting; and that the passengers are properly accommodated.

2. Each Conductor must be in possession of correct time, carefully regulated by the Standard Clock.

3. The Conductors are charged with the general appearance of Trains, and conduct of the Baggage and Brakesmen. Each man must wear his badge when on the Train, and any misconduct of the men must be promptly reported to the Superintendent. They will see that at each Station at which the Train stops, the name of the Station is announced in the inside of each Passenger Car, so as to be heard throughout the Car; and will give the Passengers proper time to get in and out of the Cars before the Train is put in motion. If the Train should overrun the Platform, they shall not signal to the Engineman to back, until they have warned the passengers to keep in the Cars until stopped at the Platform.

4. They are to allow no riotous or unruly conduct on the Train; and when any person refuses to pay his fare, the Conductor must remove such person from the Cars.

Conductors shall allow no one except those mentioned in General Order, to travel without a proper pass or ticket, upon pain of immediate dismissal. If it is found that any one entitled to travel free, has been charged, the fare will be refunded by the Superintendent, on production of Conductor's note.

5. When on the Road, the Conductor has charge of the Train, and is responsible for its safe and proper management; and will see that Passengers do not expose themselves to danger by standing on the Platforms of the Cars, or by attempting to leap on or off them when in motion.

6. He will notify the Engineman when to start; and will see that the Train is run as near the Table-Time as possible.

7. The Conductor must have the following articles before starting, and see that they are all in proper order:—

2. Red Flags.

2. Clear and 2 Hand-Signal Lamps and Red Tail Lamp.

6 Links and Pins.

Can of Oil, supply of Wick, and Spare Bell-rope.

8. The Conductor will make the necessary entries in his Journal, Collection Sheet and Free Past Report, and hand the same to the Station Master at the end of journey, for transmission to Head Offices.

9. He must always have a correct Time-Table, showing the hours of running.

10. He must see that at dusk the Red Tail Lamp and other Car Lamps are lighted; must satisfy himself at every station, that all is right as regards axle boxes, brakes, &c. &c. He shall also see that a Brakesman is always stationed upon the last car, and during a night journey, that the Tail Lamp keeps lighted. No other light than the red Tail Lamp shall be exhibited from the rear of the Train; and when a Train is switched off into a side track, and the main track clear, the Tail Lamp shall be obscured during the time the Train is stationary in the side track; but special care must be taken to change it the moment the Train is to be shunted. Attention to this is of the **UTMOST IMPORTANCE**.

11. In the event of the Train being brought to a stand between two Stations, he must send Brakesmen, or other properly qualified persons, with the proper Signals, 800 yards from each end of the Train, to warn any approaching Train.

12. He will be held responsible for the proper coupling together of all the Cars in the Train, and for the proper connection of the rope attached to the bell in the cab of the Engine.

13. On arrival of the Train at the Terminus, he shall examine each Car to see that no Baggage or other articles are left by passengers; and, if any, have them taken into the office and handed over to the Station Master: he shall also see, (when the Stoves are lighted,) that no wood is left too near them, and that the Lamps are extinguished and the Windows closed.

14. Conductors of Freight Trains shall be at the Fright Warehouse of the Station from whence the train shall leave, at least an hour previous to time of starting; and shall see that they have with them, in addition to lamps and other articles previously specified, a tail rope; they will, with their Brakesmen, give every assistance in getting the Train marshalled at the Station, so that Cars can be quickly disposed of at the different Stations and Sidings on the journey.

15. The Conductors shall examine the Way Bills for Sundry Cars before starting, to see that the freight is loaded so as to be left off properly. They shall examine particularly the loading of all Platform Cars, to see that they are safe, and if they are not, must leave them to be reloaded.

16. The Conductors and Brakesmen are specially directed to allow no one to leap off or on their train while in motion, and refrain from doing so, as much as possible, themselves; they must not uncouple any portion of it while in motion, with the view of dispensing with the Tail Rope or Shunting, and before proceed-

ing to Tail Rope or Shunt any Cars into a Siding, they shall satisfy themselves that it is clear, or sufficient room for the Cars, and will prevent, as much as possible, the Cars being run in with too great an impetus.

17. A Brake Car and Brakesman must always be last in the Train, and the bell rope extended from it to the cab of Engine.

18. The Conductors shall state in their reports, every casualty or delay on the journey ; and when any Cars have been left on the road, that should have been taken forward, they shall notify such to the Station Master or Freight Agent at the Station to which they were destined, and report in journal.

19. They and their Brakesmen are prohibited from passing unnecessarily over the tops of the Cars while in motion. They shall not allow any one to travel in the Freight Cars, unless specially instructed to do so. Any disobedience of this order will be punished by dismissal, and payment of the fare of the party riding.

20. Should they want to pull up their Train, from any extraordinary circumstance, in the absence of bell rope, the Brakesmen shall apply the Brakes sharply, and suddenly release them a few times, so as to attract the Engineman's attention.

21. They shall make themselves thoroughly acquainted with the running of the Passenger and other Trains, on all parts of the Track, and, when likely to be overtaken, remind the Enginemen immediately to shunt into a siding, and in passing warn the Switchmen of such intention.

22. When behind the time, they shall keep a very sharp look out for Gravel Trains, as when Freight Trains are thirty minutes late, Gravel Trains will use the track.

Conductors of Gravel and Construction Train.

1. On a single track, Conductors of Gravel Trains cannot be too vigilant, in keeping clear of ordinary trains, and with this view, they shall inform themselves generally of Rules laid down for Conductors of other Trains ; shall furnish themselves with authorized Time-Tables, showing the running of the Trains, and proper supply of Day and Night Signals, and see that the same are in an efficient condition : and must always be off the Main Track with their Trains at least 20 minutes before the proper time for regular Trains to pass ; and on no account to move out of the siding, until the regular Train has passed. (*Vide Enginemen's Rules, Nos. 29 and 30, as to using Main Track when Freight Train is behind time.*)

2. Conductors shall not move from a side track with their Train, unless they are accompanied with the proper number of brakesmen.

3. When a Gravel Train is standing on the Main Line, men with proper Signals, must be placed 800 yards before and behind the Train, and three sharp Whistles from the Engine shall be the Signal to recall them. Great precaution is necessary in recalling Flagmen.

Conductors of Gravel Trains shall, before starting, examine and see that the Gravel Cars are to the best of their judgment in running order, and that the journals are oiled ; should they think any of them unsafe, they must have them left off in some siding and report the same to head office, that means may be taken to repair or remove them.

Baggagemen.

1. They must be at the Starting Station three quarters of an hour before the departure of the Train, have their Badges fixed on their caps, and will be under the order of the Conductor.

2. They must see that all Luggage is properly labelled or checked and arranged; so that there may be no delay in putting it out at the proper Station; and shall register carefully in their Baggage Book, each piece, number of check, Station at which received, and left off. No excuse will be taken for neglecting this important duty. Any Freight they may receive at Stations must be accompanied with a way-bill, if not with a passenger; and such Freight, if labelled, must not be put among the passengers' baggage, but kept separate and handed over to the Station Masters as Freight.

3. They shall be held responsible for the careful handling of all Baggage entrusted to their keeping; they shall allow no one to ride in their Baggage Car, and shall be most minute in receiving and delivering despatches, returned checks, &c.

4. Despatches not on Railway business, and not passing through the Offices of the Company and initialled, shall not be conveyed by Train: any Baggageman violating this rule shall be severely fined.

Brakesmen.

1. They must be at the Starting Station three-quarters of an hour before the departure of their Train, with their Badges fixed on their caps, and will be under the orders of the Conductor.

2. Before starting they must examine their Brakes to see that they are in proper working order, and report any defect to the Conductor. If with Passenger Trains, they shall have their Cars carefully swept out, and dusted; and (if necessary) the Stoves lighted, and shall be very particular in seeing that no Wood is put too near them. They shall have the Lamps trimmed and ready for lighting should their journey not be accomplished before dusk.

3. They must always ride outside the Cars, so as to be in a position to apply their Brakes immediately upon the signal being given by the Engine Driver, (See Engineman's Rules 14,) and a Brakesman and Brake Car shall always be last in the Train.

4. Brakesmen of Freight Trains shall render every assistance in getting the Cars marshalled at the Station previous to starting, so that they may work their Trains with greater despatch on the journey.

5. They shall give every assistance in wooding the Engine of their train on the journey.

6. They shall see that a proper supply of fresh water is always kept in the Water Coolers of the Passenger Car.

Track Repairers.

Before any laborer or foreman is engaged by the Inspector, he must be made to understand that the wilful transgression of *any* of the Rules in this Book will

be visited by immediate dismissal from the service of the Company, accompanied by a fine of five shillings in the case of a laborer, and fifteen shillings in the case of a foreman. Any insubordination on the part of any man or foreman, drunkenness whilst on duty, being found off his work during working hours, or the commission or omission of any act whereby the passage of Engines or Trains shall or might be endangered—will be punished by fine and dismissal, as above.

1. In every gang of Track Repairers there shall be a foreman ; and the Inspector will be held responsible that every such foreman is provided with a copy of the Regulations, and with a proper Time-Table showing the running of the Trains, and with the proper Signal Flags and Lamps. Also, that each foreman is furnished with an accurate gauge for gauging the line of Track, and with all other necessary materials and implements.

2. Each foreman shall constantly keep a copy of these Regulations on his person while on duty, and must read and explain them to every man engaged under him ; and must produce them when required to do so.

He shall be responsible for the men under his charge, and for the proper execution of the work assigned to him, and shall have a list of the names and abodes of those under him, that in case of accident or other emergency, he may be enabled to summon them immediately, to assist in any way that may be deemed necessary.

3. Each foreman is to walk over his section every morning and evening, to see that all joints are properly spiked or bolted, and the joint ties well packed up, and that all other things are secure.

4. Track Repairers shall be particular in watching each Train as it passes, to see whether a Red Board, Flag, or Green Lamp, is exhibited upon the Engine or end of Train, denoting that a special Train will follow, as it may happen that special Trains will be dispatched without previous notice being given. It will be necessary to be prepared at all times for unexpected Trains.

They shall stop working when a Train is within 400 yards, and move to the side, clear of the Track, so as to prevent any risk of accident.

5. The Signals to be made use of by the Track Repairers are two, viz. :—one Green, and the other Red. They will consist of a Red and Green Flag, to be used by day, and Signal Lamp, (showing red or green,) to be used after nightfall. The Green Signal indicates Caution, and is to be used when it is necessary to slacken the speed of a Train. The Red Signal indicates Danger, and is to be used when it is necessary to stop a Train. Such Signals shall be sent back at least 800 yards from the place they are meant to protect, and shall be waved across the Track.

6. Whenever it is necessary to displace any part of the Track, or in case of any slip or failure of any portion of the works, or in the event of any Track or Service Car being required for temporary use on the Line, or if from any other cause the Track is not safe, the Red Signal shall be conspicuously exhibited at a distance of not less than 800 yards each way, by a man sent expressly to hold such Flag, (even if no Engine is expected,) who shall continue to exhibit the Signal until a messenger arrives with express orders from the foreman to withdraw it.

No Hand Car or Lorry shall be used on the Track, under any circumstance, during a fog or snow storm.

7. When any part of the Track is out of repair, so as to make it necessary for a Train to proceed cautiously, a man shall be sent 800 yards on each side of it with a Green Signal.

8. The Track shall not in any case be displaced for the purpose of putting in cattle guards, cross drains or culverts, unless by express orders from the Resident Engineer, who will invariably appoint some person to be present during such operations, and who shall decide the times (between the running of Trains) when such work is to be done. The Track shall not be rendered unsafe by any operation during day or night, or upon Sunday, until notice shall have been given by the Resident Engineer to the Traffic Superintendent, and permission obtained to use the Track.

9. No rails shall be taken up, or the track otherwise disturbed in such a manner as to render it unsafe, within twenty minutes of the time of a train being due, nor until it has passed. All such work must be done between the regular running hours.

10. In no case except where there is absolute necessity, is any work to be performed during a fog or snow storm, by which an obstruction may be caused to the passage of Trains.

11. In raising the track and packing in the ballast, no lift shall be greater than two inches in a bar of twenty-four feet long, and both rails shall be raised equally at the same time, and in all cases when practicable, the lift shall be made in the direction in which the first train due approaches—that is, that the train shall run up grade, not down.

12. On every occasion when the track is being raised, a man must be stationed at a distance of 400 yards each way from the place, with a Green Signal, to slacken the speed of the approaching trains; and in raising the track, care must be taken to have it perfectly secure at least twenty minutes before a train is due.

13. The Inspector of Station Yards and Switches is authorized to take the use of one or two men with their tools, from the nearest gang, to assist in any repairs in said Station Yards when his own gang may be absent or deficient in numbers. He shall see that Safety Blocks are put down on all sidings diverging from the Main Track, at the prescribed distance from Main Track.

14. No ballast between the rails shall be thrown up to a higher level than two inches above the top of the cross-ties, and all gravel or ballast dumped by the Contractor alongside of the track, shall be shovelled to the side sufficient to leave a clear passage for Trains of not less than three feet clear, and the rails must be kept clear of gravel and other materials.

They shall be particular in maintaining the Rails to the proper level and gauge; they shall sweep and scrape the Rails, when necessary, and keep them free from dirt and snow.

They shall remove all loose Timber, Stones, Iron and other materials from the Track, so as to keep it clear.

15. The Inspector is required daily to see that all Bridge and Crossing Watchmen are at their posts, and that the supply of water, and means for using the same, are perfect at the Bridges.

16. The Inspector will be held responsible for the safe keeping of all Rails, Chairs, Plates, Bolts, Tools, and Implements of every kind belonging to the Company, and all loss or destruction of such property must be reported to the Resident Engineer in his fortnightly Report. All the Tools and Implements, Signals, Oil, &c., shall, when not in use, be kept locked up in a building or in boxes.

17. The Inspector must report in writing to the Resident Engineer any case in which any of the Signals are disregarded by the Engine Driver.

18. Any accident befalling an Engine or Train, or any failure of any part of the works, is to be immediately reported by special messengers to the Resident Engineer, and to the nearest Station Master on both sides of the spot where the accident has occurred; and the Danger Signal must be exhibited at the distance of 800 yards each way.

19. All trees within the Railway fences, and all in the immediate proximity of the Line, which endanger the same by risk of falling, are to be cut down.

20. All cattle and animals found straying within the Railway fences must be immediately driven off, and each foreman shall be held responsible for the safe keeping of the Line in this respect, on that portion of which he has charge: and all laborers dwelling in shanties along the line are strictly forbidden to keep cows (even in houses) within said fences. They will be permitted to keep hogs only on condition that they are to be always enclosed.

21. All persons walking along the line, who are not in the Company's service, must be peremptorily ordered off, and in the case of non-compliance, their names, if they can be ascertained, must be reported to the Resident Engineer.

22. All gaps in fences, and damages to bridges, cattle guards, &c. are to be repaired in a temporary manner; and the spots where such damages exist are to be immediately reported to the Resident Engineer.

23. All Surface Crossings shall be closely looked after, particularly to see that the planking is securely spiked down.

24. Any farm gates found open are to be promptly closed.

25. Any temporary injury to any of the telegraph poles, or wire down, shall be repaired so far as practicable, and intelligence of the damage immediately conveyed to the nearest Station Master. If not a Telegraph Station, the Station Master shall write to the Telegraph Station, giving particulars.

26. When the Lorries are not in use, they must be lifted off the track and the wheels secured by a Chain and Padlock. They shall be extremely careful in using the Hand Cars upon the Track, and only when their service is actually necessary, and never have them on the Rails when a Train is expected or due. Lorries shall be used only in conveying materials for the line.

Neither of these description of cars shall under any circumstance, be attached to a train.

27. All articles found on the Track shall be carefully sent to the Station Master of the nearest Station.

Accidents upon the Michigan Central Railway, during 1854.

27th January.—Collision near New Buffalo—2 killed and 5 severally injured.

25th May.—Express Train ran off the track—6 killed and several wounded.

7th June.—Express ran over cattle—4 killed and 5 wounded.

27th June.—Express going west ran over a waggon and team—3 killed.

26th September.—Express ran into a train at a siding—several killed and wounded.

30th September.—Express came into collision with a freight train—several killed and wounded.

November.—Passenger train came into collision with a wood train—7 killed and some wounded.

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